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Pages 17129–17167

Agencies in this issue—

The President
Civil Service Commission
Coast Guard
Consumer and Marketing Service
Defense Department
Economic Opportunity Office
Federal Communications Commission
Federal Reserve System
Federal Trade Commission
Food and Drug Administration
General Services Administration
Immigration and Naturalization Service
International Commerce Bureau
Interstate Commerce Commission
Land Management Bureau
Securities and Exchange Commission

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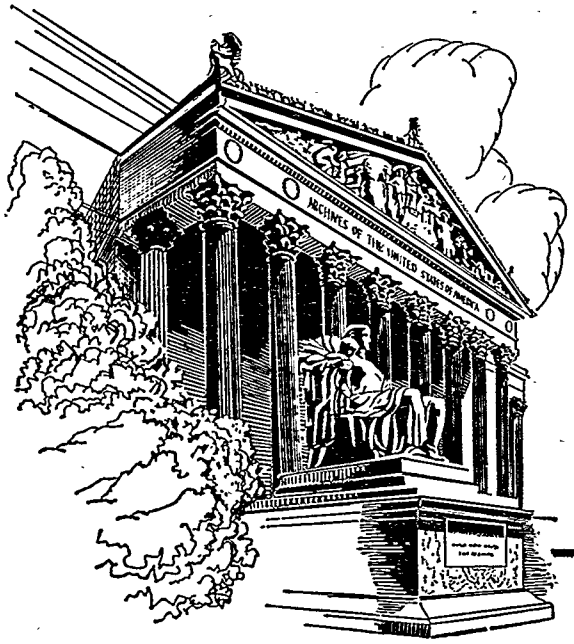

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Title 3—THE PRESIDENT

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THANKSGIVING DAY, 1968

By the President of the United States of America

A Proclamation

Americans, looking back on the tumultuous events of 1968, may be more inclined to ask God's mercy and guidance than to offer Him thanks for his blessings.

There are many events in this year that deserve our remembrance, and give us cause for thanksgiving:

—the endurance and stability of our democracy, as we prepare once more for an orderly transition of authority;

—the renewed determination, on the part of millions of Americans, to bridge our divisions;

—the beginning of talks with our adversaries, that will, we pray, lead to peace in Vietnam;

—the increasing prosperity of our people, including those who were denied any share in America's blessings in the past;

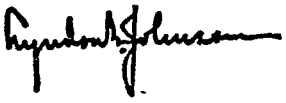
—the achievement of new breakthroughs in medical science, and new victories over disease.

These events inspire not only the deepest gratitude, but confidence that our nation, the beneficiary of good fortune beyond that of any nation in history, will surmount its present trials and achieve a more just society for its people.

In this season, let us offer more than words of thanksgiving to God. Let us resolve to offer Him the best that is within us—tolerance, respect for life, faith in the destiny of all men to live in peace.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, in consonance with Section 6103 of Title 5 of the United States Code designating the fourth Thursday of November in each year as Thanksgiving Day, do hereby proclaim Thursday, November 28, 1968 as a day of national thanksgiving.

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of November, in the year of our Lord nineteen hundred and sixty-eight, and of the Independence of the United States of America the one hundred and ninety-third.



[F.R. Doc. 68-13940; Filed, Nov. 15, 1968; 3:13 p.m.]

Rules and Regulations

Title 7—AGRICULTURE

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Tangerine Reg. 35, Amdt. 1]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangerines, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of tangerines grown in Florida.

Order. In § 905.510 (Tangerine Reg. 35, 33 F.R. 16271) the provisions of subparagraph (a)(2) are amended by substituting in lieu thereof a new subparagraph (a)(2) reading as follows:

§ 905.510 Tangerine Regulation 35.

(a) * * *

(2) During any week of the period November 11, 1968, through July 31, 1969, any handler may ship a quantity of tangerines which are smaller than the size prescribed in subparagraph (1)(ii) of this paragraph if (i) the number of standard packed boxes of such smaller tangerines does not exceed 50 percent of the total standard packed boxes of all sizes of tangerines shipped by such handler during the same week; and (ii) such smaller tangerines are of a size not smaller than 2$\frac{4}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of tangerines smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in said U.S. Standards for Tangerines.

* * * * *

(Sec. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: November 13, 1968.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 68–13857; Filed, Nov. 18, 1968; 8:45 a.m.]

PART 966—TOMATOES GROWN IN FLORIDA

Expenses and Rate of Assessment

Notice of rule making regarding the proposed expenses and rate of assessment, to be effective under Marketing Agreement No. 125 and Order No. 966, both as amended (7 CFR Part 966), regulating the handling of tomatoes grown in designated counties in the State of Florida, was published in the FEDERAL REGISTER October 19, 1968 (33 F.R. 15557). This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.). The notice afforded interested persons an opportunity to submit written data, views, or arguments pertaining thereto not later than 15 days following its publication in the FEDERAL REGISTER. None was filed

After consideration of all relevant matters, including the proposals set forth in the aforesaid notice which were recommended by the Florida Tomato Committee, established pursuant to said amended marketing agreement and order, it is hereby found and determined that:

§ 966.205 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred during the fiscal period beginning August 1, 1968, and ending July 31, 1969, by the Florida Tomato Committee for its maintenance and functioning, and for such purposes as the Secretary determines to be appropriate will amount to $123,750.

(b) The rate of assessment to be paid by each handler in accordance with the Marketing Agreement and this part shall be three-fourths of a cent ($0.0075) per 40-pound container of tomatoes, or equivalent quantity, handled by him as the first handler thereof during said fiscal period.

(c) Unexpended income in excess of expenses for the fiscal period ending July 31, 1969, may be carried over as a reserve.

(d) Terms used in this section have the same meaning as when used in the said marketing agreement and this part.

It is hereby found that good cause exists for not postponing the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) the relevant provisions of this part require that rates of assessment fixed for a particular fiscal period shall be applicable to all assessable tomatoes from the beginning of such period, and (2) the current fiscal period began on August 1, 1968, and the rate of assessment herein fixed will automatically apply to all assessable tomatoes beginning with such date.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: November 13, 1968.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 68–13858; Filed, Nov. 18, 1968; 8:45 a.m.]

Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

MISCELLANEOUS AMENDMENTS TO CHAPTER

The following amendments to Chapter I of Title 8 of the Code of Federal Regulations are hereby prescribed:

PART 103—POWERS AND DUTIES OF SERVICE OFFICERS; AVAILABILITY OF SERVICE RECORDS

§ 103.1 [Amended]

1. The second sentence of paragraph (f) *District directors* of § 103.1 *Delegations of authority* is amended to read as follows: "District directors outside the United States (except Mexico) have all appellate jurisdiction specified in this chapter not reserved to the Board of Immigration Appeals for matters arising in their respective districts."

2. The second and fourth sentences of paragraph (g) *Officers in charge* of § 103.1 *Delegations of authority* are amended to read as follows: "Officers in Charge in Districts 33, 34, and 37 have the same powers with respect to petitions and applications submitted by citizens or aliens residing in their respective areas as are conferred on district directors in the United States. * * * The officers in charge of the offices located in Frankfurt, Germany; Athens,

Greece; Rome, Italy; Naples, Italy; Palermo, Italy; Vienna, Austria; Manila, Philippines; Tokyo, Japan; and Hong Kong, B.C.C., are authorized to perform the following functions: Authorized waivers of grounds of excludability under sections 212 (h) and (i) of the Act; adjudicate applications for permission to reapply for admission to the United States after deportation or removal, if filed by an alien who has applied for an immigrant visa at an American consular office, when the application for permission to reapply is submitted in conjunction with an application for waiver of grounds of excludability under section 212 (h) or (i) of the Act; approve visa petitions for any immediate relative or preference status except third and sixth preferences; in cases in which the Department of State had delegated recommending power to the consular officer, approve recommendations made by consular officers for waiver of grounds of excludability in behalf of nonimmigrant visa applicants under section 212(d)(3) of the Act and concur in proposed waivers by consular officers of the requirement of visa or passport by a nonimmigrant on the basis of unforseen emergency; exercise discretion to grant applications for the benefits of sections 211 and 212(c) of the Act; process Form I–90 applications and deliver duplicate Forms I–151; extend reentry permits; and process Form N–565 applications and deliver certificates issued thereunder."

§ 103.4 [Amended]

3. The second sentence of § 103.4 *Certifications* is amended to read as follows: "District directors in the United States and officers in charge in Districts 33, 34, and 37 may certify their decisions to the appellate authority designated in this chapter when the case involves an unusually complex or novel question of law or fact."

PART 205—REVOCATION OF APPROVAL OF PETITIONS

§ 205.1 [Amended]

The second sentence of paragraph (c) *Revalidation* of § 205.1 *Automatic revocation* is amended to read as follows: "American consular officers assigned to visa-issuing posts abroad, except those in Austria, Germany, Greece, Italy, Japan, the Philippines, Hong Kong, and Mexico are also authorized to revalidate any petition on Form I–130 when the petitioner and beneficiary are physically present in the area over which the consular officers have jurisdiction; while such consular officers are authorized to revalidate such petitions they shall refer any petition which is not clearly subject to revalidation to the appropriate Service office outside the United States for decision."

PART 214—NONIMMIGRANT CLASSES

§ 214.2 [Amended]

1. Paragraph (b) *Visitors* of § 214.2 *Special requirements for admission, extension, and maintenance of status* is amended by deleting the last sentence thereof.

2. Subparagraph (1) *Petitions* of paragraph (h) *Temporary employees* of § 214.2 *Special requirements for admission, extension, and maintenance of status* is amended by inserting the following sentence after the existing second sentence: "If the services will be performed or the training will be received in more than one area, the petition must be filed in an office of this Service having jurisdiction over at least one of those areas."

§ 214.3 [Amended]

3. The first sentence of paragraph (h) *Review of school approvals* of § 214.3 *Petitions for approval of schools* is amended to read as follows: "The district director shall review from time to time the approval accorded to schools in his district."

PART 235—INSPECTION OF PERSONS APPLYING FOR ADMISSION

§ 235.9 [Amended]

The first sentence of paragraph (c) *Application* of § 235.9 *Conditional entries* is deleted and the following two sentences are inserted in lieu thereof: "A separate application for conditional entry under section 203(a)(7) of the Act shall be executed by each applicant on Form I–590 except that, in the case of a family group, a separate Form I–590 need be executed only for those members of the family who are 18 years of age or older and a carbon or machine copy of the Form I–590 executed by the principal adult applicant may be submitted as the application for each accompanying child under 18 years of age listed on such principal's application. The Forms I–590 shall be submitted to the officer in charge of the nearest Service office outside the United States."

PART 238—CONTRACTS WITH TRANSPORTATION LINES

§ 238.2 [Amended]

1. Subparagraph (3) *Nassau* of paragraph (b) *Agreements with transportation lines* of § 238.2 *Transportation lines bringing aliens to the United States from or through foreign contiguous territory or adjacent islands and lines bringing aliens destined to the United States into such territory or islands* is amended by adding the following transportation line in alphabetical sequence to the listing: "International Air Bahama."

§ 238.3 [Amended]

2. Paragraph (b) *Signatory lines* of § 238.3 *Aliens in immediate and continuous transit* is amended by adding to the listing in alphabetical sequence: "Penn Central Company, The," and by deleting from the listing: "New York Central Railroad Company."

§ 238.4 [Amended]

3. Section 238.4 *Preinspection outside the United States* is amended by adding the following place and transportation line to the listing at the end thereof:

AT PECHE ISLAND

Sirrah Ltd.

PART 245—ADJUSTMENT OF STATUS TO THAT OF PERSON ADMITTED FOR PERMANENT RESIDENCE

Paragraph (a) of § 245.2 is amended to read as follows:

§ 245.2 Application.

(a) *General*—(1) *Jurisdiction.* An application for adjustment of status under section 245 of the Act or section 1 of the Act of November 2, 1966, by an alien after he has been served with an order to show cause or warrant of arrest shall be made and considered only in proceedings under Part 242 of this chapter. In any other case, an alien who believes that he meets the eligibility requirements of section 245 of the Act or section 1 of the Act of November 2, 1966, and § 245.1, shall apply to the district director having jurisdiction over his place of residence.

(2) *Eligibility.* An alien shall not be eligible to apply for adjustment of status under section 245 of the Act unless a visa is immediately available to him, and, if a prerequisite to immediate availability of a visa is the approval of a visa petition, he shall be ineligible to apply unless such petition has been approved. The application under section 245 of the Act shall be made on Form I–485, while the application under section 1 of the Act of November 2, 1966, shall be made on Form I–485A. Each application shall be accompanied by executed Form G–325A, if the applicant has reached his 14th birthday, which shall be considered as part of the application. An application under this subparagraph shall be accompanied by the documents specified in the instructions which are attached to the application.

(3) *Departure.* The departure from the United States of an applicant under section 245 of the Act prior to decision in his case shall be deemed an abandonment of his application constituting grounds for denial thereof unless he had previously been granted permission by the Service for such absence and he was thereafter inspected upon his return, or it is determined by the officer having jurisdiction over his application that his departure was unintended or innocent and casual, that his absence was brief, and that he was inspected upon his return. If the determination reached is favorable to the applicant, the application shall be adjudicated without regard to the departure and absence. In determining the date of "last arrival" within the meaning of section 1 of the Act of November 2, 1966, in the case of an applicant who was inspected and admitted or paroled into the United States subsequent to January 1, 1959, and who subsequently departed temporarily with no intention of abandoning his residence in the United States and was readmitted or paroled into the United States upon his return, the date of the applicant's arrival after such temporary absence or absences shall not be included.

(4) *Decision.* The applicant shall be notified of the decision and, if the application is denied, of the reasons therefor. No appeal shall lie from the denial of an application by the district director but such denial shall be without prejudice to the alien's right to renew his application in proceedings under Part 242 of this chapter.

* * * * *

PART 251—ARRIVAL MANIFESTS AND LISTS; SUPPORTING DOCUMENTS

§ 251.3 [Amended]

1. Paragraph (c) *Separated crewmen* of § 251.3 *Departure manifests and lists for vessels* is amended by inserting the following sentence after the existing first sentence: "If an application to pay off or discharge an alien crewman has been granted subsequent to the vessel's arrival, the triplicate copy of the relating Form I–408 shall be attached to the Form I–418."

§ 251.4 [Amended]

2. Paragraph (b) *Notification of changes in employment for aircraft* of § 251.4 *Departure manifests and lists for aircraft* is amended by adding the following sentence at the end thereof: "The procedure to follow in obtaining permission to pay off or discharge an alien crewman in the United States after initial immigration inspection, other than an alien lawfully admitted for permanent residence, is set forth in § 252.1(h) of this chapter."

PART 252—LANDING OF ALIEN CREWMEN

§ 252.1 [Amended]

1. The third and fourth sentences of paragraph (f) *Change of status* of § 252.1 *Examination of crewmen* are amended to read as follows: "The application shall not be approved unless an application on Form I–408, filed pursuant to paragraph (h) of this section, has been approved authorizing the master or agent of the vessel on which the crewman arrived to pay off or discharge the crewman and unless evidence is presented by the master or agent of the vessel to which the crewman will be transferred that a specified position on that vessel has been authorized for him or that satisfactory arrangements have been completed for the repatriation of the alien crewman. If the application is approved, the crewman shall be given a new Form I–95 endorsed to show landing authorized under paragraph (d)(2) of this section for the period necessary to accomplish his scheduled reshipment, which shall not exceed 29 days from the date of his landing, upon surrendering any conditional landing permit previously issued to him on Form I–95."

2. New paragraph (h) is added to § 252.1 to read as follows:

§ 252.1 Examination of crewmen.

* * * * *

(h) *Authorization to pay off or discharge an alien crewman.* Application to pay off or discharge an alien crewman, except an alien lawfully admitted for permanent residence, shall be made by the owner, agent, consignee, charterer, master, or commanding officer of the vessel or aircraft on which the alien crewman arrived on Form I–408 filed with the immigration officer having jurisdiction over the area in which the vessel or aircraft is located at the time of application. The applicant shall be notified of the decision, and, if the application is denied, of the reasons therefor. There shall be no appeal from the denial of an application on Form I–408.

PART 299—IMMIGRATION FORMS

The list of forms in §299.1 *Prescribed forms* is amended by adding the following form and reference thereto in numerical sequence:

Form No.	*Title and description*
I–408	Application to pay off or discharge alien crewman.

PART 339—FUNCTIONS AND DUTIES OF CLERKS OF NATURALIZATION COURTS

§ 339.2 [Amended]

The fourth sentence of § 339.2 *Monthly reports* is amended to read as follows: "The clerk of court shall show opposite the number of each petition in which the petitioner is exempt from payment of a naturalization fee under section 344(h) of the Immigration and Nationality Act or the Act of October 24, 1968, the letter "M"."

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

This order shall be effective on the date of its publication in the FEDERAL REGISTER. Compliance with the provisions of § 553 of Title 5 of the United States Code (Public Law 89–554, 80 Stat. 383), as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the amendments to § 103.1 (f) and (g) and 103.4 relate to agency management; the amendment to § 205.1(c) conforms to the amendment to 8 CFR 204.1(a) published in the FEDERAL REGISTER on October 11, 1968; the amendments to §§ 214.2(b) and 235.9(c) confer benefits upon persons affected thereby; the amendment to § 214.2(h)(1) is clarifying in nature; the amendments to §§ 214.3(h), 251.3(c), 251.4(b), 252.1(f), 252.1(h), and 299.1 relate to agency procedure; the amendments to §§ 238.2 (b)(3), 238.3(b), and 238.4 add three transportation lines to the listings and delete one; the amendment to § 245.2(a) is editorial in nature, except that the addition of subparagraph (3) confers benefits upon persons affected thereby; and the amendment to § 339.2 implements the Act of October 24, 1968.

Dated: November 14, 1968.

RAYMOND F. FARRELL,
Commissioner of Immigration and Naturalization.

[F.R. Doc. 68–13882; Filed, Nov. 18, 1968; 8:47 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 51—CANNED VEGETABLES

Green Sweet Peppers, Red Sweet Peppers, and Pimientos or Pimentos; Confirmation of Effective Date of Order Amending Identity Standard To Provide for Additional Optional Forms

In the matter of amending the definitions and standards of identity for canned vegetables other than those specifically regulated (21 CFR 51.990) to list additional optional forms of green sweet peppers, red sweet peppers, and pimientos or pimentos:

One objection was filed to the order in the above-identified matter published in the FEDERAL REGISTER of August 24, 1968 (33 F.R. 12040), but lacking support therefor it was not considered acceptable. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), notice is given that the amendment promulgated by the subject order became effective October 23, 1968.

Dated: November 8, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 68–13888; Filed, Nov. 18, 1968; 8:48 a.m.]

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Dicamba

A petition (PP 8F0666) was filed with the Food and Drug Administration by the Velsicol Chemical Corp., 341 East Ohio Street, Chicago, Ill. 60611, proposing the establishment of tolerances for the combined residues of the herbicide dicamba (3,6-dichloro-o-anisic acid) and its metabolite 3,6-dichloro-5-hydroxy-o-anisic acid in or on the raw agricultural commodities barley, corn, oats, and

wheat at 0.5 part per million. Subsequently, the petition was amended to include corn fodder and forage and the straws of barley, oats, and wheat at the same tolerance level.

The Secretary of Agriculture has certified that this herbicide chemical is useful for the purposes for which the tolerances are being established.

Data in the petition and elsewhere available show that the use of feed items from treated barley, corn, oats, and wheat in compliance with the tolerance proposed will not result in residues of dicamba in milk, eggs, meat, or poultry. The usage is classified in the category specified in § 120.6(a)(3) and no tolerance regarding milk, eggs, meat, or poultry is required.

Based on consideration given the data submitted in the petition, and other relevant material, the Commissioner of Food and Drugs concludes that the tolerances established by this order will protect the public health. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and under authority delegated to the Commissioner (21 CFR 2.120), § 120.227 is revised to read as follows to establish the subject tolerances:

§ 120.227 Dicamba; tolerances for residues.

A tolerance of 0.5 part per million is established for the combined residues of the herbicide dicamba (3,6-dichloro-*o*-anisic acid) and its metabolite 3,6-dichloro-5-hydroxy-*o*-anisic acid in or on corn grain and corn fodder and forage; grain and straw of barley, oats, and wheat; sorghum grain and sorghum fodder and forage.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: November 8, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 68-13889; Filed, Nov. 18, 1968; 8:48 a.m.]

SUBCHAPTER C—DRUGS

PART 149b—AMPICILLIN

Ampicillin Trihydrate Chewable Tablets

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), the following new section is added to the antibiotic drug regulations to provide for certification of the subject drug (this new section is also the first section established in new Part 149b):

§ 149b.3 Ampicillin trihydrate chewable tablets.

(a) *Requirements for certification—*(1) *Standards of identity, strength, quality, and purity.* Each ampicillin chewable tablet contains the equivalent of 125 milligrams of ampicillin with suitable diluents, lubricants, preservatives, and flavorings. The moisture content is not more than 5.0 percent. Its potency is satisfactory if it contains not less than 90 percent nor more than 120 percent of the number of milligrams of ampicillin that it is represented to contain. The ampicillin trihydrate used conforms to the standards prescribed by § 146a.6(a). Each other ingredient used, if its name is recognized in the U.S.P. or N.F., conforms to the standards prescribed therefor by such official compendium.

(2) *Packaging.* It shall be packaged in accordance with the requirements of § 148.2 of this chapter.

(3) *Labeling.* It shall be labeled in accordance with the requirements of § 148.3 of this chapter.

(4) *Requests for certification; samples.* In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on:

(*a*) The ampicillin trihydrate used in making the batch for potency, toxicity, moisture, pH, ampicillin content, crystallinity, and identity.

(*b*) The batch for potency and moisture.

(ii) Samples required:

(*a*) The ampicillin trihydrate used in making the batch: 10 containers, each containing not less than 300 milligrams.

(*b*) The batch: A minimum of 30 tablets.

(*c*) In case of an initial request for certification, each other ingredient used in making the batch: One container of each containing approximately 5 grams.

(5) *Fees.* $0.75 for each tablet submitted in accordance with subparagraph (4)(ii)(*b*) of this paragraph; $4 for each container submitted in accordance with subparagraph (4)(ii)(*c*) of this paragraph; $5 for each contained submitted in accordance with subparagraph (4)(ii)(*a*) of this paragraph.

(b) *Tests and methods of assay—*(1) *Potency.* Use either of the following methods; however, the results obtained from the method described in subdivision (i) of this subparagraph shall be conclusive:

(i) *Microbiological assay.* Using 0.1*M* potassium phosphate buffer, pH 8.0, blend a representative number of tablets in a high-speed blender for 5 minutes and further dilute an aliquot of this stock solution to a concentration of 0.1 microgram of ampicillin per milliliter. Proceed as directed in § 141a.111(a)(1) of this chapter.

(ii) *Iodometric assay.* Using 1 percent potassium phosphate buffer, pH 6.0, blend a representative number of tablets in a high-speed blender for 5 minutes and further dilute to a concentration of 1.0 milligram of ampicillin per milliliter. Proceed as directed in § 141a.111(a)(2) of this chapter.

(2) *Moisture.* Proceed as directed in § 141a.26(e) of this chapter.

Since the manufacturer has presented data establishing the safety and efficacy of this subject antibiotic drug and since it is in the public interest not to delay in providing for its certification, notice and public procedure and delayed effective date are not prerequisites to this promulgation.

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357)

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER.

Dated: November 8, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 68-13890; Filed, Nov. 18, 1968; 8:48 a.m.]

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER M—MISCELLANEOUS

[DoD Instruction 4100.38]

PART 254—PROVISIONING AND OTHER PREPROCUREMENT SCREENING

SEPTEMBER 9, 1968.

The Assistant Secretary of Defense (Installations and Logistics) approved the following revision to Part 254 on September 9, 1968:

Sec.
254.1 Purpose.
254.2 Applicability and scope.
254.3 Definitions.
254.4 Background.
254.5 Policy and procedures.

AUTHORITY: The provisions of this Part 254 are issued under section 2202 of Title 10, U.S.C.

§ 254.1 Purpose.

(a) This revision to Part 254 supplements applicable provisions of DoD Instruction 3232.4, "Policy and Principles Governing Provisioning of End Items of

Materiel," April 2, 1956;[1] and establishes provisioning and other preprocurement screening policies and procedures which will (1) limit the entry of new items into the DoD supply system to those necessary to support logistics requirements, and (2) utilize available stocks of items already in the supply system to meet provisioning and other logistics requirements so as to avoid unnecessary procurement.

(b) Its provisions:

(1) Extend the mandatory requirement to screen reference numbers for all support items recommended or being considered for procurement by provisioning activities or Inventory Control Points (ICPs); and

(2) Place an additional requirement on the contractor, or government activity, to furnish all known reference numbers for each item to be screened prior to procurement action.

§ 254.2 Applicability and scope.

(a) The provisions of this Part apply to the Departments of the Army, Navy and Air Force, and the Defense Agencies (hereafter referred to collectively as "DoD Components").

(b) The following items are excluded from the screening requirements of this part:

(1) Items assigned manufacturers' part numbers, government specifications and type numbers which are not item identifying (i.e., numbers that do not identify specific items of production or items of supply)

(2) Items assigned part numbers by manufacturers who have not been assigned Federal Supply Codes in DoD Cataloging Handbook H4–1.[2]

§ 254.3 Definitions.

(a) "Provisioning and Other Preprocurement Screening" is an operation whereby all known reference numbers associated with an item are screened against data maintained in the Master Federal Catalog Files for purposes of revealing their association with existing Federal Stock Numbers (FSNs). Provisioning and other preprocurement screening also provides for the screening of data files on releasable stocks, transferable retention stocks and DoD potential excess stocks for materiel utilization purposes, in accordance with DoD Directive 4140.34. "Department of Defense Personal Property Utilization," September 5, 1968.[1]

(b) "Reference Number" is any number, other than an activity stock number, used to identify an item of production or, either by itself or in conjunction with other reference numbers, to identify an item of supply. Reference numbers include manufacturers' part, drawing, model, type, source controlling numbers, specification controlling numbers and the manufacturer's trade name, when the manufacturer identifies the item by trade name only; NATO stock numbers; specification or standard numbers; and specification or standard part, drawing, or type numbers. (Reference Federal Manual for Supply Cataloging, M1–4).[2]

§ 254.4 Background.

(a) The Department of Defense is responsible for the development, implementation and operation of the Federal Catalog System. The Master Federal Catalog Data files are located and maintained at the Defense Logistics Services Center (DLSC). These files contain cross-reference data between reference numbers and FSNs. FSNs are assigned to items in the DoD supply system in accordance with Directive 4130.2, "Development, Maintenance and Utilization of the Federal Catalog System Within the Department of Defense," December 4, 1963.[1]

(b) Items being recommended or considered for procurement which are identifiable by reference numbers, and for which FSNs are unknown, can be screened against the master files to ascertain whether FSNs have been previously assigned. For those items being recommended or considered for procurement which have FSNs associated with their identification, the master files can be screened to validate these FSNs. Further, through reference number relationships existing in the Master Federal Catalog File, items may frequently be associated with similar items which may be satisfactory for use in lieu of the items being recommended or considered for procurement.

(c) When this master file screening process reveals existing FSNs, normal cataloging and related item entry control operations can be eliminated or simplified. A step in this process is to screen these FSNs against asset data as reported in accordance with DoD Directive 4140.34. This process reveals available assets for potential materiel utilization purposes.

§ 254.5 Policy and procedures.

(a) DoD Components will assure that provisioning and other preprocurement screening will be applied to all items which are being recommended or considered for procurement, as herein prescribed, to determine the availability of existing FSNs and additional DoD logistics information, including the availability of assets in the DoD supply system.

(b) For each item being recommended or considered for procurement during provisioning, DoD Components will assure that provisioning activities prior to procurement action:

(1) Prepare and submit provisioning screening requests directly to DLSC, or arrange for contractors to make direct submissions to DLSC of the uniform provisioning screening data in accordance with Military Specification MIL–P–84000, "Provisioning Screening Data to Be Furnished by Government Suppliers,".[2] The requirements for the use of this specification and any supplementary data needed by DoD Components will be cited on DD Form 1423, "Contractor Data Requirements List," for inclusion in all contracts where provisioning screening data are to be prepared by contractors. This specification will be supplemented as required by DoD Components.

(2) Submit, or arrange for the submission of, all known reference numbers and related FSNs, if available, for each item for validation.

(3) Designate the provisioning activity or other DoD activity and/or the contractor that are to receive the Federal Catalog data revealed from provisioning screening.

(4) Specify the time limits within which screening must be accomplished to meet provisioning time schedules.

(5) Take steps to utilize available supply system assets in accordance with DoD Instruction 3232.4, in lieu of procurement, when screening reveals the availability of assets for existing FSNs, and the FSNs are validated by the provisioning activity. This step will be taken immediately prior to initiating procurement action or preparation of a Military Interdepartmental Purchase Request (MIPR).

(c) For each item being recommended or considered for procurement, other than during provisioning, which cannot be related to an FSN, DoD Components will assure that ICPs prior to procurement action:

(1) Prepare and submit preprocurement screening requests directly to DLSC.

(2) As applicable, perform steps (2), (3), (4), and (5) in § 254.5(b).

(d) Any special requests for deviations or exceptions to the policies of this part will be submitted through channels to the Assistant Secretary of Defense (Installations and Logistics), with statements of justification.

MAURICE W. ROCHE,
Director, Correspondence and Directives Division, OASD (Administration).

NOVEMBER 12, 1968.

[F.R. Doc. 68–13843; Filed, Nov. 18, 1968; 8:45 a.m.]

[1] Filed as part of original. Copies available from U.S. Naval Publications and Forms Center, 5801 Tabor Avenue, Philadelphia, Pa. 19120, Code 300.

[2] Available from Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

See footnotes at end of docket.

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 101—Federal Property Management Regulations

SUBCHAPTER E—SUPPLY AND PROCUREMENT

PART 101–25—GENERAL

Subpart 101–25.1—General Policies

MULTIYEAR SUBSCRIPTIONS FOR PUBLICATIONS

Policy is established directing agencies to use multiyear subscriptions for periodicals, newspapers, and other publications where such a method is advantageous to the Government.

The table of contents for Part 101–25 is amended by adding § 101–25.108, as follows:

101–25.108 Multiyear subscriptions for publications.

Section 101–25.108 is added, as follows:

§ 101–25.108 Multiyear subscriptions for publications.

Subscriptions for periodicals, newspapers, and other publications for which it is known in advance that a continuing requirement exists should be for multiple years rather than for a single year where such method is advantageous for the purpose of economy or otherwise. Where various bureaus or offices in the same agency are subscribing to the same publication, consideration shall be given to consolidating these requirements, to the extent practical, on an agency-wide basis and on a multiyear basis. Payment covering issues to be delivered during the entire subscription period may be made in advance from currently available appropriations (31 U.S.C. 530a).

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Effective date. This regulation is effective upon publication in the FEDERAL REGISTER.

Dated: November 12, 1968.

LAWSON B. KNOTT, Jr.,
Administrator of General Services.

[F.R. Doc. 68–13850; Filed, Nov. 18, 1968; 8:45 a.m.]

Title 45—PUBLIC WELFARE

Chapter X—Office of Economic Opportunity

PART 1060—GENERAL CHARACTERISTICS OF COMMUNITY ACTION PROGRAMS

Subpart—Participation of the Poor in the Planning, Conduct, and Evaluation of Community Action Programs

Chapter X of Title 45 of the Code of Federal Regulations is amended by adding a new Part 1060, reading as follows:

Subpart—Participation of the Poor in the Planning, Conduct, and Evaluation of Community Action Programs

Sec.
1060.1–1 Applicability of this subpart.
1060.1–2 Policy.
1060.1–3 Procedures.

AUTHORITY: The provisions of this subpart issued under sec. 211, 224, 602, 81 Stat. 693; 42 U.S.C. 2791.

§ 1060.1–1 Applicability of this subpart.

This subpart applies to all Community Action Agencies, Limited Purpose Agencies, and State Economic Opportunity Offices assisted by OEO under Title II and III of the Economic Opportunity Act of 1964, as amended.

§ 1060.1–2 Policy.

(a) *General.* (1) An essential objective of community action is extensive and intensive participation by the poor and residents of poverty areas in the planning, conduct, and evaluation of programs which affect their lives.

(2) Without the steady growth of such participation in both quantity and quality, community action cannot succeed. The constituency of the Community Action Program and its grantees is poor people.

(3) The Community Action Program is based upon the recognition that poor people possess talents and resources essential to reducing the problems of poverty. They often have unique insight into their own problems and valuable knowledge about the effect on their own lives of the programs designed for their benefit. Their participation in the development of those programs is essential to building understanding and the will of the entire community to bring an end to poverty and to achieve effective communication between the poor and the nonpoor. Far more relevant, sensitive, and effective programs and plans will come out of their participation.

(4) In its provisions regarding participation by the poor, the Economic Opportunity Act as amended in 1967 clearly recognizes that successful community action must help enlist and assure effective use of these resources of the poor. It gives more specific form to the often expressed aim of community action to help the poor help themselves. Through the formation of their own organizations, they can effectively speak directly for their interests and views within their immediate areas and within the broader community and work together to solve their problems. The EOA authorizes assistance to those programs which will aid the poor to participate more fully in the affairs of their communities.

(5) OEO vigorously supports the emphasis of the Economic Opportunity Act on participation of the poor and requires meaningful participation in all programs funded with community action monies. It will offer this support through:

(i) The funding of grantees who are carrying out the purposes of this subpart and the provision of frequent review to see that direct involvement of poor people is maintained and increasing;

(ii) The requirement that all funding applications must explicitly indicate a course of action which will lead to improvement in the involvement of poor people in the community action agency (CAA) program;

(iii) Policy, guidance, training and technical assistance to help grantees to effectively involve poor people;

(iv) Direct efforts to encourage other agencies, organizations and groups at the national, state and local levels to adopt strong participation of the poor policies for programs affecting poor people.

(6) To encourage and support effective participation by the poor, in keeping with the CAP mission and objectives, OEO has established the following minimum requirements for community action grantees. These are minimum requirements. OEO will continue to do everything it can to assist grantees in their local efforts to exceed these basic requirements. The quality of participation, not the quantity, and continuing improvement are the common goals of OEO and its community action grantees. Mere gestures or empty ritual are no substitute.

(b) *Community action agencies*—(1) *Basic responsibilities.* Every CAA has a fundamental responsibility to encourage, assist, and strengthen the ability of the poor in the areas served by the CAA to play major holes in the organization; program planning; goal setting; determination of priorities; decisions concerning budgeting and financial management; key decisions concerning hiring of personnel, selection criteria, personnel policies, the number and type of non-professional jobs, training, and career development programs; and evaluation of programs affecting their lives. Decisions affecting organization can include what policymaking boards and committees are established and what their roles are in respect to each other, to paid staff, and to any delegate agency staff and boards; which programs will be delegated; and which staff unit or other group will have administrative responsibility for which programs. The fundamental responsibility of the CAA includes:

(i) Seeking and bringing about ways to improve its own effectiveness as a channel through which the poor, local government and private groups can communicate, plan, and act together in partnership. In such a partnership the poor must have a strong voice or role, both directly and through representatives whom they have chosen.

(ii) Providing the representatives of the poor with the tools and the support (guidance, training, and staff assistance) which will permit them to participate meaningfully in the affairs of the CAA, and in all of its programs and delegate agencies.

(iii) Encouraging the development of effective local organizations established and controlled by residents of poverty neighborhoods or areas. Community action agencies are expected to provide training, technical assistance and staff resources to enable the poor to develop, administer, and participate effectively in local area programs and to enter into the broader community discussion of poverty problems and solutions.

(iv) Providing employment for poor persons in all phases of the community action program.

(v) Continually insuring that delegate agencies involve poor persons in the planning, conduct and evaluation of delegated programs.

(vi) Working for the acceptance by other public and private agencies and organizations serving the community, of effective and growing involvement of the poor in the planning, conduct and evaluation of all activities which affect them and their inclusion in career jobs in the agencies.

(2) *Representation and involvement on CAA Boards.* (i) Every CAA has the obligation to assure that at least one-third of the membership of the CAA governing or administering board are

representatives of the poor and residents of the areas to be served by the CAA chosen in a democratic way. (Community Action Memo 81,[1] contained in the booklet "Organizing Communities for Action," sets forth on pp. 12–13 the policy for implementing this legislative requirement. The requirement that CAAs shall establish procedures in their bylaws, under which community agencies and representative groups of the poor which feel themselves inadequately represented on the CAA Board may petition for adequate representation, is spelled out on pp. 14–15.)

(ii) In addition to the provision for public board meetings publicized and conducted in accordance with OEO Instruction 7042–1,[2] the CAA is responsible for setting up the following procedures to make certain the representatives of the poor on the board are able to participate meaningfully:

(*a*) The proportion of democratically selected representatives of the poor on any executive committee and on all policy making committees and other subcommittees of the CAA shall fairly reflect their proportion on the CAA Board itself;

(*b*) The time and place for any board, committee, advisory committee or neighborhood council meeting shall be so fixed as to insure that it will be possible and convenient for the representatives of the poor to attend;

(c) A quorum for any board or committee meeting shall be established and it shall be at least 50 percent of the membership of that board or committee;

(*d*) Proxy voting is prohibited;

(*e*) Advance notice of and the agenda (an outline of matters to be considered) for any board or committee meetings shall be provided individually to all members in writing 5 days before the meeting. In addition, notices should be given to the local public media and posted in all neighborhood or community centers along with the agenda;

(*f*) Written minutes which include a record of votes on all motions, shall be distributed to all board members before the next board meeting. In addition, statements or records of all actions taken at all board meetings (including the record of the vote of each member when a roll call vote has been taken) shall be made available to the public on request.

(*g*) In communities which include a non-English-speaking population advance notice, agendas, and minutes of meetings will be provided to any non-English-speaking representatives of that population in their own language, and there must be an interpreter available to them during the meetings;

(*h*) Funds for transportation, baby sitting and other legitimate expenses, as well as an allowance, should be provided by the CAA to enable representatives of the poor to participate regularly in board, committee, advisory council, or neighborhood council meetings. Statements of the expenses allowed and how representatives will be repaid for what they have spent will be drawn up by the CAA and given to the members of all CAA boards and advisory councils. (More detailed provisions for these reimbursements is spelled out in CA Memo 29A.[3] OEO Instruction 6803–1, "Allowances and Reimbursements for Members of Policy-Making Bodies" is being developed to replace CA Memo 29A.[3]);

(*j*) Representatives of the poor on CAA Boards must be given adequate information and training about board functions, duties, and responsibilities and the issues which will come before the board, to permit them to make the fullest possible contribution to the work of the board. In this connection, the by-laws of the CAA shall be distributed and fully explained to the representatives of the poor on the board;

(*k*) Adequate information about standards of program effectiveness established by OEO and by the CAA shall be delivered when available to the representatives of the poor to permit them to plan for and evaluate CAA programs and to set priorities for the use of funds and other resources. Evaluations of CAA programs and their operation shall consider the views of representatives of the poor on the CAA Board, as well as the views of program participants and area residents;

(*l*) Representatives of the poor on CAA Boards will participate in the development of all parts of the CAA grant application, including "CAA Plans and Priorities," the work program, and the prereview meetings with the OEO Regional Office Field Representative.

(3) *Project Advisory Committees and neighborhood or Target Area Councils.* (i) While OEO recognizes that unique conditions exist in different regions of the country and in rural and urban communities and that the means of participation of the poor may therefore legitimately differ, every CAA is nonetheless responsible for developing effective involvement of the poor in each major program and in each of its target areas. This involvement may be in the form of (*a*) a program advisory committee composed of at least 50 percent democratically selected representatives of the poor being served by an individual program area (as required in the national emphasis programs such as Head Start, Legal Services, etc.) or (*b*) a neighborhood or target area based organization (such as a neighborhood or community council) made up of neighborhood residents. If these program advisory committees and neighborhood councils wish, they may:

(ii) Advise the CAA in setting annual program priorities based upon the top needs of the neighborhood or target area;

(iii) Participate in the development of the pertinent parts of the Community Action Grant process;

(iv) More particularly, participate in the development of CAP Form 81, "Community Action Agency Plans and Priorities," (Applying for a CAP Grant-OEO Instruction 6710–1, pp. III 9–14) [1] and CAP Form 7, "Program Account Work Program," (pp. 13–25) bearing on the program operating in their neighborhood or in the program area for which the advisory committee or neighborhood council is responsible. Such a committee or council shall add a written approval or dissent from the CAA's Plans and Priorities, CAP Form 81, when it is submitted to OEO by the CAA;

(v) Participate in the prereview meetings with the Regional Office Field Representative prior to the submission of the funding request.

(vi) Review and comment on existing or proposed CAA projects, policies, and plans and on major OEO policy instructions sent to the CAA for comment;

(vii) Receive from the CAA copies of OEO publications, instructions, program guidance and operating handbooks;

(viii) Participate in evaluations of programs operated or delegated by the CAA and present their findings to the CAA Board for its consideration;

(ix) Review and comment on CAA self-evaluation reports, OEO on-site evaluation reports, audits, and studies or evaluations contracted privately by the CAA. Privacy of personnel matters should be protected by pulling out sensitive references rather than withholding the whole document from distribution;

(x) Have an influential voice (though not necessarily the only voice) in the approval of program staff working in their geographical area (i.e., neighborhood center directors in the case of neighborhood councils) or in the program for which they have responsibility (i.e., a Head Start Director in the case of a parent advisory committee), and have an influential voice in the development of personnel policies and standards for selection of other staff personnel;

(xi) Work toward an effective role (*a*) in the planning, coordination, conduct and evaluation of all related poverty programs supported by Federal, State or local funds operating in their area, and (*b*) in assuring that existing and proposed services in the neighborhoods and target areas are responsive and relevant to community problems and are fully adapted to neighborhood needs and conditions.

(4) *Neighborhood or Target Area Organizations.* (i) To strengthen the voice of poor people in the decisions which affect them and to increase the participation of poor people in the community action process, each CAA is expected to recognize or help establish target area or neighborhood-based organizations and to negotiate with them regarding their role in CAA-sponsored programs. The CAA must provide adequate support, guidance, training, and technical assistance to such organizations to help them become effective spokesmen and to attract additional resources from public and private sources. This assistance may include the provision of funds to permit the neighborhood or target area organization to hire their own expert assistance directly (lawyers, program specialist, planners, or trainers). With such support they can take part in community decisions affecting them on a basis of equality with those who are not poor.

(ii) These neighborhood or target area organizations must be (*a*) kept informed

See footnotes at end of docket.

of all actions of the CAA or its delegate agencies which affect the neighborhood, and (*b*) given sufficient advance notice of CAA or delegate agency board meetings and the issues to be discussed to permit neighborhood or target area residents to consider the choice and develop neighborhood proposals to present to the CAA.

(iii) In order to increase the capability of neighborhood or target area organizations, the CAA and neighborhood organizations should determine jointly the extent to which the neighborhood organizations will be delegated responsibility for the planning, funding, conduct or administration of program activities within the neighborhood or target area. Any such delegation should take account of the capability of the organization to perform the functions effectively.

(iv) Each CAA shall take every opportunity to assist the neighborhood or target area organizations in their efforts to improve existing service programs in the community and bring additional services within the reach of the poor. Whenever possible, the services can be made available through neighborhood or community centers planned and operated by neighborhood or target area boards or councils. The success of the CAA in this effort will be judged by the ability of neighborhood or target area groups to deal effectively with public and private agencies regarding the distribution and productive use of resources to meet the needs of area residents.

(v) A subcommittee on each CAA Board, including representatives of the poor, as well as qualified staff, should be assigned specific responsibilities to assure that the CAA is providing effective assistance and support to the development of neighborhood or target area organization capabilities.

(5) *Delegate agencies.* (i) When programs and funds are delegated by the CAA, the CAA shall require the same policies and procedures for participation of the poor as those established in this subpart for CAAs.

(ii) Delegate agencies established specifically to operate programs funded through the CAA (such as area or county policy boards or councils servicing an entire political subdivision) or whose primary responsibility is for programs sponsored by the CAA must have governing boards at least one-third of whose members are democratically selected representatives of the poor residing within that area. In the case of those area boards or council which cover less than an entire political subdivision, at least a majority of its members must be representatives of the poor residing within the area. Target area or neighborhood based organizations or corporations may have boards composed solely of the democratically selected representatives of area residents, but in those cases where major policy or funding responsibilities are delegated, provision must be made for representation of elected public officials.

(iii) Delegate agencies whose primary responsibilities are for programs not sponsored by the CAA (such as school boards) must establish an advisory board or committee to assist in the planning, conduct, and evaluation of its community action programs. At least a majority of the membership of such boards must be democratically selected representatives of the poor served by the delegated community action program.

(c) *Limited purpose agencies.* Limited purpose agencies shall have either a governing body made up of one-third representatives of the poor or a policy advisory committee composed of at least 50 percent democratically selected representatives of the poor being served by the OEO-funded program. Limited purpose agencies shall take the initiative in developing measures to implement the same requirements described in this subpart for every CAA for the participation of the poor in the planning; conduct, and evaluation of OEO-funded programs. The burden of proof shall be on the limited purpose agency to document in writing if it is legally unable to abide by the standards of this subpart.

(d) *State Economic Opportunity Offices.* (i) In addition to assisting in the implementation of the general policy statement of this subpart, the State Economic Opportunity Office (SEOO) shall promote the maximum feasible participation of poor people in the planning, conduct and evaluation of other state agency operations and programs which affect the poor. The SEOO shall encourage and work toward the development of career opportunities for the poor within other state agencies.

(ii) State Economic Opportunity Offices, whenever possible and consistent with State laws and regulations, shall employ poor people as staff or as consultants to help carry out training and technical assistance functions to community action programs.

(iii) Each SEOO which operates OEO-funded statewide poverty programs shall establish an advisory committee of representatives of the poor. When the SEOO submits an application for the funding of a statewide program, it shall have established an advisory committee which shall have participated in planning the programs. A representative elected by the representatives of the poor of each CAA Board in the state shall serve as a member of the SEOO Advisory Committee.

These SEOO Advisory Committees shall:

(*a*) Meet not less than four times a year;

(*b*) Participate in the development of policies and procedures for the statewide programs; review and comment on the programs; participate in evaluations; and present their findings to the SEOO for its consideration;

(*c*) Recommend to the SEOO the advisability of operating new statewide programs.

(iv) Funds for transportation, babysitting, and per diem to enable these representatives of the poor to participate regularly in advisory committee meetings shall be provided by the SEOO from OEO funds.

(e) *Participation through employment.* (i) Every grantee, including SEOOs which operate OEO-funded statewide poverty programs, and delegate agency must develop and include in their personnel policies specific plans to fill staff positions to the greatest extent possible with individuals who are poor. Such policies must emphasize opportunities for training and career advancement and for employment of poor people in staff positions which are directly involved in the planning, budgeting, funding, conduct, administration and evaluation of the programs.

(ii) These policies must provide for (*a*) the development of job and staffing requirements (by analyzing jobs to determine if a professional is needed and by breaking down jobs in such a way to create "new careers") so as to maximize the number of nonprofessional positions; (*b*) the establishment of job qualifications based on the personal ability of an individual to perform, rather than on formal requirements of education and experience; (*c*) career development through increasing the amount of responsibility in the task performed so that poor persons employed by the CAA may have opportunities for advancement to the fullest extent of their abilities; and (*d*) continued on-the-job training and constructive supervision needed to permit advancement.

(iii) Every CAA further has the responsibility for developing career opportunities for the poor in other local agencies, both public and private.

(f) *Participation in evaluation.* Community Action Agencies, limited purpose agencies, and State Economic Opportunity Offices must obtain the views of program participants and area residents as well as the views of representatives of the poor on boards, committees and councils as part of their evaluation of grantee or delegate agency programs and operations.

§ 1060.1–3 Procedures.

(a) *Compliance*—(1) *Grantee and delegate agency report.* Each grantee and delegate agency has a responsibility to implement the policies and standards of this subpart. Implementation of this subpart should be clearly reflected in the agency's planning, program development, and budgeting processes and should be evaluated in writing by the agency every year. A report of progress should accompany the refunding request as a part of the agency's self-evaluation. Such a progress report will include:

(i) A summary of policies and procedures established to carry out this subpart;

(ii) A description of progress in improving the quality of participation.

(2) *Participation of the poor in compliance.* (i) In addition, every grantee and delegate agency's annual self evaluation shall include a section prepared by the representatives of the poor on the CAA, delegate agency or limited purpose agency Board, with the help of representatives of the poor on neighborhood, target area, or policy advisory boards,

councils, and committees and of appropriate staff members. The representatives of the poor shall describe how the CAA, delegate agency, or limited purpose agency has:

(a) Provided opportunities for involvement of poor people in proposing, planning, approving, administering, operating and evaluating programs.

(b) Helped to develop the capacities of poor people to participate effectively. Special attention should be given to the amount of money and staff time devoted to training and technical assistance to increase and improve the involvement of poor people in the program.

(c) Responded to and supported the positions and requests of the poor and neighborhood groups regarding programs and issues which affect them.

(d) Promoted participation of the poor in the activities of other agencies and organizations in the community and in community-wide decision making.

(e) Development employment and career development opportunties for the poor.

(f) Worked toward increased control by the poor and target area residents over the economic life in their neighborhoods or areas.

(ii) This evaluation shall be given full consideration by the Board of the grantee and shall be submitted to the appropriate Regional Office of OEO with its CAP form 81. OEO will not approve an application for funding that does not explicitly indicate a course of action that will lead to improvement in the quality of involvement of poor people in its program.

(3) *State Economic Opportunity Office.* As part of its application for funding, each State Economic Opportunity Office shall submit to the appropriate regional office a written report which describes its implementation of this subpart.

(b) *Appeals.* (1) Petitions (signed by from 50 to 100 persons from community agencies or representatives groups of the poor, depending on the procedures established in the grantee's bylaws) claiming (1) inadequate representation on grantee boards, (2) inability to influence the character of programs, or (3) grantee refusal to fund programs proposed by the poor, may be presented to the governing boards of grantee organizations.

(2) Such appeals must be considered by the governing body of the grantee organization at a public meeting publicized, conducted and recorded in accordance with OEO/CAP policies regarding public hearings. (Interim regulations covered in CA Memo 32[1] are being revised in OEO Instruction 7042-1 which will soon be distributed.)

(3) Notification of receipt of such petition must be sent within 5 days to the OEO Regional Office or Headquarters Office which is responsible for funding and monitoring the grantee. This should be followed by a statement of the action of the governing body on the petition and the reasons supporting the action.

(4) In addition to the above procedures, poor people, either as individuals or groups, are encouraged to continue to express themselves directly to OEO Regional Offices and Headquarters if they have complaints about the operation of OEO-funded programs.

Effective date. Except for the various Community Action Memoranda and OEO Instructions cited in this subpart, which are already in effect, this subpart shall become effective 30 days following the date of publication in the FEDERAL REGISTER.

THEODORE M. BERRY,
Director,
Community Action Program.

[F.R. Doc. 68-13885; Filed, Nov. 18, 1968; 8:48 a.m.]

[1] Not filed with the Office of the Federal Register.

PART 1069—COMMUNITY ACTION PROGRAM GRANTEE PERSONNEL MANAGEMENT

Subpart—Limitations With Respect to Unlawful Demonstrations, Rioting and Civil Disturbances

Chapter X, Part 1069 of Title 45 of the Code of Federal Regulations is amended by adding a new subpart, reading as follows:

Subpart—Limitations With Respect to Unlawful Demonstrations, Rioting, and Civil Disturbances

Sec.
1069.2-1 Applicability of this subpart.
1069.2-2 Policy.
1069.2-3 Enforcement.
1069.2-4 Reminder concerning antiriot provision in the Economic Opportunity Amendments of 1966.

AUTHORITY: The provisions of this subpart issued under section 602, 78 Stat. 530; 42 U.S.C. 2942.

§ 1069.2-1 Applicability of this subpart.

This subpart applies to all full-time and part-time employees and volunteers engaged in carrying out the program of any organization financially assisted under the Economic Opportunity Act of 1964, as amended.

§ 1069.2-2 Policy.

(a) Each grantee and delegate agency is required to take appropriate steps to insure that financial assistance under the Economic Opportunity Act is not employed to aid or assist in the conduct of any unlawful demonstration, rioting, or civil disturbance. In particular, each agency must take such action as is appropriate in the light of local circumstances to insure that persons employed in connection with assisted programs, as well as volunteers, do not use their position in the program to plan, initiate, participate in, or otherwise aid or assist in the conduct of any unlawful demonstration, rioting, or civil disturbance. Toleration on the part of agency officials of such behavior by their employees may be considered cause for suspending or terminating the grant.

(b) Rioting and similar violence are wholly inconsistent with the goals of community action. Not only do they undercut the effort to bring the poor into the mainstream of community life, but the harm they do falls most heavily on the poor.

(c) Community action agencies and other CAP grantees have additional responsibilities, however, beyond insuring that no one uses the program to foster violence. Because of its important role as a link between the poor and the public and private agencies which can help solve some of the problems of poverty, a community action agency or other CAP grantee has an important role (1) in developing grievance-response mechanisms between residents of poor neighborhoods and local government agencies and other institutions, and (2) if violence should occur or be threatened, in opening channels of communication between the disaffected elements and the community leadership. The report of the National Advisory Commission on Civil Disorders cited several examples of constructive counterriot measures undertaken by community action agencies. In addition the Commission highlighted the significance of efforts to involve the poor through "maximum feasible participation" in program development and administration and in community decisionmaking as effective measures to counter the causes and symptoms of riots.

(d) The preceding subpart "Employee Participation in Direct Action," of this part discusses lawful demonstrations and other types of direct action in which CAP grantees may engage.

§ 1069.2-3 Enforcement.

The initial and primary responsibility for enforcement of this subpart rests with local grantees and delegate agencies. Such agencies shall—

(a) Take all feasible measures to prevent the employment in their programs of persons who are likely to use their positions as agency employees to promote violence or unlawful disorder. This shall not be construed to prohibit automatically the hiring of persons with prior criminal records. Policies governing the hiring and rehabilitation of persons with prior conviction records are found in Community Action Memo 23-A.[1]

(b) Terminate any employee, or discontinue using the services of any volunteer, who the agency determines, on the basis of substantial and material evidence, has been using his position with the agency to promote violence or disorder. Such personnel actions are subject to the grievance procedures required under CA Memorandum 23-A[1] affording the employee a prompt and fair consideration of his grievance.

§ 1069.2-4 Reminder concerning antiriot provision in the Economic Opportunity Amendments of 1966.

Section 1201 of the Economic Opportunity Amendments of 1966 provides that no funds appropriated for the fiscal year 1967 could be used "to provide payments, assistance, or services, in any form, with

[1] Not filed with Office of Federal Register.

See footnotes at end of docket.

respect to any individual who is convicted, in any Federal, State, or local court of competent jurisdiction, of inciting, promoting, or carrying on a riot, or any group activity resulting in material damage to property or injury to persons, found to be in violation of Federal, State, or local law designed to protect persons or property in the community concerned." This law continues to apply to the use of all funds granted during the fiscal year 1967 (July 1, 1966, to June 30, 1967). Note that it bars benefits to, as well as employment of, persons convicted of certain crimes in connection with riots and group disorders.

Effective date. The statutory prohibition against employees and volunteers engaging in unlawful activities (42 U.S.C. 2963) is already binding. The policy and enforcement provisions of this subpart shall become effective 30 days following the date of publication in the FEDERAL REGISTER.

THEODORE M. BERRY,
Director,
Community Action Program.

[F.R. Doc. 68-13886; Filed, Nov. 18, 1968; 8:48 a.m.]

Title 49—TRANSPORTATION

Chapter X—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 1011, Amdt. 1]

PART 1033—CAR SERVICE

Distribution of Boxcars

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 13th day of November 1968.

Upon further consideration of Service Order No. 1011 (33 F.R. 15341), and good cause appearing therefor:

It is ordered, That:

Section 1033.1011 *Service Order No. 1011* (Distribution of boxcars), of Service Order No. 1011, be, and it is hereby amended by substituting the following paragraph (d) for paragraph (d) thereof:

(d) *Expiration date.* This order shall expire at 11:59 p.m., November 30, 1968, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., November 16, 1968.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10–17), 15(4), and 17(2), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4), and 17(2))

It is further ordered, That copies of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-13861; Filed, Nov. 18, 1968; 8:46 a.m.]

[S.O. 1013-A]

PART 1033—CAR SERVICE

Illinois Central Railroad Co. and Louisville and Nashville Railroad Co. Shall Not Furnish Boxcars for Loading by Buckeye Cellulose Corp. at Memphis, Tenn.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 8th day of November, 1968.

Upon further consideration of Service Order No. 1013 and good cause appearing therefor:

It is ordered, That:

Section 1033.1013 *Service Order No. 1013* (Illinois Central Railroad Co. and Louisville and Nashville Railroad Co. shall not furnish boxcars for loading by Buckeye Cellulose Corp. at Memphis, Tenn.) be, and it is hereby, vacated and set aside.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10–17), 15(4), and 17(2), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4), and 17(2))

It is further ordered, That this order shall become effective at 3 p.m., November 8, 1968; that copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of the order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-13862; Filed, Nov. 18, 1968; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 906]

HANDLING OF ORANGES AND GRAPEFRUIT GROWN IN LOWER RIO GRANDE VALLEY IN TEXAS

Proposed Rule Making With Respect to Approval of Expenses and Fixing of Rate of Assessment for 1968–69 Fiscal Period and Carryover of Unexpended Funds

Consideration is being given to the following proposals submitted by the Texas Valley Citrus Committee, established under the marketing agreement, as amended, and Order No. 906, as amended (7 CFR Part 906), regulating the handling of oranges and grapefruit grown in Lower Rio Grande Valley in Texas, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), as the agency to administer the terms and provisions thereof:

(1) That expenses that are reasonable and likely to be incurred by the Texas Valley Citrus Committee, during the period from August 1, 1968, through July 31, 1969, will amount to $540,000;

(2) That there be fixed, at $0.045 per 7/10 bushel carton or equivalent quantity of oranges and grapefruit, the rate of assessment payable by each handler in accordance with § 906.34 of the aforesaid marketing agreement and order; and

(3) That unexpended assessment funds in excess of expenses incurred during the fiscal period ended July 31, 1968, shall be carried over as a reserve in accordance with the applicable provisions of § 906.35(a)(2) of said marketing agreement and order.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals should file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 10th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: November 13, 1968.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 68-13860; Filed, Nov. 18, 1968; 8:46 a.m.]

[7 CFR Part 959]

ONIONS GROWN IN SOUTH TEXAS

Proposed Expenses and Rate of Assessment

Consideration is being given to the approval of the expenses and rate of assessment, hereinafter set forth, which were recommended by the South Texas Onion Committee, established pursuant to Marketing Agreement No. 143 and Marketing Order No. 959, both as amended (7 CFR Part 959). This marketing program regulates the handling of onions grown in designated counties in South Texas, and is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

All persons who desire to submit written data, views, or arguments in connection with these proposals may file the same in quadruplicate with the Hearing Clerk, Room 112, U.S. Department of Agriculture, Washington, D.C. 20250, not later than the 30th day after publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

§ 959.209 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred during the fiscal period beginning August 1, 1968, through July 31, 1969, by the South Texas Onion Committee for its maintenance and functioning, and for such purposes as the Secretary determines to be appropriate, will amount to $44,500.

(b) The rate of assessment to be paid by each handler in accordance with the marketing agreement and this part shall be one-half cent ($0.005) per 50-pound container of onions, or equivalent quantity, handled by him as the first handler thereof during said fiscal period.

(c) Terms used in this section have the same meaning as when used in the said marketing agreement and this part.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674).

Dated: November 13, 1968.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 68-13858; Filed, Nov. 18, 1968; 8:46 a.m.]

[7 CFR Part 1101]

MILK IN KNOXVILLE, TENN., MARKETING AREA

Proposed Termination of Certain Provisions of Order

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), the termination of certain provisions of the order regulating the handling of milk in the Knoxville, Tenn., marketing area is being considered.

The proposed action, which would be made effective as soon as possible, would terminate the base-excess plan for paying producers. The provisions proposed to be terminated are:

1. Sections 1101.15, 1101.16, 1101.60, 1101.61, 1101.62, 1101.72, and 1101.73(b) in their entirety.
2. In § 1101.30(a)(1), "including for the months of April through August a statement of the aggregate quantity of base milk".
3. In § 1101.31(b)(1)(i), "including for the months of April through August, the total pounds of base and excess milk".
4. In the introductory text of § 1101.71, "for each of the months of September through March".
5. In § 1101.71(f), "in each of the months of September through March".
6. In §§ 1101.73(c) and 1101.82(b)(1), "and 1101.72".
7. In the introductory text of § 1101.80 (b), "for the months of September through March, or at not less than the uniform price for base milk computed pursuant to § 1101.72 with respect to base milk received from such producer, and at not less than the uniform price for excess milk computed pursuant to § 1101.72 with respect to excess milk received from such producer, for the months of April through August".
8. In § 1101.85(b)(1), "and the uniform base price computed pursuant to § 1101.72".
9. In § 1101.86(b), "including for the months of April through August, the pounds of base milk and excess milk".
10. The center head "Determination of Base" immediately preceding § 1101.60.

Under the Knoxville base-excess plan, producers establish daily bases in September through February. In the following April through August, producers are paid a base price for their deliveries that are not in excess of their base and a lower price for any additional milk delivered.

Discontinuance of the base-excess plan was requested by Tennessee Valley Milk Producers, which represents 98 percent of the Knoxville producers and about 75 percent of the Chattanooga order producers. The cooperative reblends the proceeds from the sale of members' milk,

irrespective of where sold, and pays the members under both orders on the same basis.

Different base-making and base-paying months are provided in the base-excess plans in the Knoxville and Chattanooga orders. The cooperative desires to establish for its members in the Knoxville market the same base-excess plan now applicable in the Chattanooga market. It claims that discontinuance of the Knoxville plan would facilitate its using a uniform base-excess plan in paying members under both orders.

All persons who desire to submit written data, views, or arguments in connection with the proposed termination should file the same with the Hearing Clerk, Room 112–A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250, not later than 5 days from the date of publication of this notice in the FEDERAL REGISTER. All documents filed should be in quadruplicate.

All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Signed at Washington, D.C., on November 14, 1968.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 68–13887; Filed, Nov. 18, 1968; 8:48 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 120]

PARATHION OR ITS METHYL HOMOLOG

Proposed Establishment of Pesticide Tolerance

Dr. C. C. Compton, Coordinator, Interregional Research Project No. 4, State Agricultural Experiment Station, Rutgers University, New Brunswick, N.J. 08903, has requested the Commissioner of Food and Drugs to establish a tolerance of 0.2 part per million for residues of the insecticide methyl parathion in or on the raw agricultural commodity sunflower seed.

The Secretary of Agriculture has certified that this insecticide is useful for the purpose for which the tolerance is being proposed.

Data submitted with the request and elsewhere available show that the use of feed items from treated sunflower seed in compliance with the tolerance proposed would not result in residues of methyl parathion in milk, eggs, meat, or poultry. The usage is classified in the category specified in § 120.6(a)(3) and no tolerance regarding milk, eggs, meat, or poultry is necessary.

Based on consideration given the submitted data, and other relevant material, the Commissioner concludes that the tolerance proposed herein is safe and would protect the public health. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(e), 68 Stat. 514; 21 U.S.C. 346a(e)) and under authority delegated to the Commissioner (21 CFR 2.120), it is proposed that § 120.121 be revised to read as follows:

§ 120.121 Parathion or its methyl homolog; tolerances for residues.

Tolerances for residues of the insecticide parathion (*O,O*-diethyl *O*-*p*-nitrophenyl thiophosphate) or its methyl homolog in or on raw agricultural commodities are established as follows:

1 part per million in or on alfalfa, apples, apricots, artichokes, avocados, barley, beans, beets (with or without tops) or beet greens alone, blackberries, blueberries (huckleberries), boysenberries, broccoli, brussels sprouts, cabbage, carrots, cauliflower, celery, cherries, citrus fruits, clover, collards, corn, corn forage, cranberries, cucumbers, currants, dates, dewberries, eggplants, endive (escarole), figs, garlic, gooseberries, grapes, grass for forage, guavas, hops, kale, kohlrabi, lettuce, loganberries, mangoes, melons, mustard greens, nectarines, oats, okra, olives, onions, parsnips (with or without tops) or rutabaga tops, spinach, peaches, pea forage, peanuts, pears, peas, peppers, pineapples, plums (fresh prunes), pumpkins, quinces, radishes (with or without tops) or radish tops, raspberries, rice, rutabagas (with or without tops) or rutabaga tops, spinach, squash, strawberries, summer squash, Swiss chard, tomatoes, turnips (with or without tops) or turnip greens, vetch, wheat, youngberries.

0.2 part per million in or on sunflower seed.

Any person who has registered or who has submitted an application for the registration of an economic poison under the Federal Insecticide, Fungicide, and Rodenticide Act containing the subject pesticide chemical may request, within 30 days after the date of publication of this notice in the FEDERAL REGISTER, that the proposal herein be referred to an advisory committee in accordance with section 408(e) of the act.

Any interested person may, within 30 days from the date of publication of this notice in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

Dated: November 8, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68–13891; Filed, Nov. 18, 1968; 8:48 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Supplement to Bureau of Land Management Manual 1510]

CHIEF, DIVISION OF ADMINISTRATIVE SERVICES ET AL.

Delegation of Authority Regarding Contracts and Leases

A. Pursuant to the authority contained in Bureau Manual 1510.03C, the following are hereby redelegated the authorities contained in Bureau Manual 1510.03B2c in the amounts shown:

1. Chief, Division of Administrative Services and Chief, Branch of Procurement, Portland Service Center.

a. May enter into contracts after formal advertising regardless of amount.

b. May enter into leases of space in real estate; *Provided*, That the conditions set forth in FPMR 101–18.106 are met.

c. May enter into negotiated contracts without advertising pursuant to sections (1) through (15) of the FPAS Act as amended, with the following limitations:

(1) Negotiation under section 302(c) (1) is restricted to contracts not exceeding $25,000.

(2) Negotiation under section 302(c) (11) must be preceded by a determination and findings by the Director if the proposed contract does not exceed $25,000. If the contract exceeds $25,000, a determination and findings by the Secretary is required.

(3) Negotiation under section 302(c) (12) and (13) requires a determination and findings by a Secretarial officer.

d. May procure necessary supplies and services from established sources (GSA, FSS, etc.) in any amount.

2. Chief, Branch of Property Management, Portland Service Center

a. May enter into leases of space in real estate provided that the conditions set forth in FPMR 101–18.106 are met.

b. May sign Government bills of lading which obligate funds for transportation charges.

c. May sign Government Printing Office orders which obligate funds for printing and duplicating charges.

3. Procurement Specialist, Purchasing Section, Branch of Procurement, Portland Service Center

a. May procure necessary supplies and services up to $2,500, and from established sources (GSA, FSS, etc.) in any amount.

4. Project Director and Administrative Officer, Redwoods National Park Survey Project, PSC

a. May procure necessary supplies and services up to $2,000, and from established sources (GSA, FSS, etc.) in any amount.

b. May sign Government bills of lading which obligate funds for transportation charges.

B. The authorities contained herein may not be redelegated.

C. This delegation of authority is effective on date of publication in the FEDERAL REGISTER.

EDWARD G. BYGLAND,
Director,
Portland Service Center.

[F.R. Doc. 68–13851; Filed, Nov. 18, 1968; 8:45 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[Case 387]

MANUFACTURE BELGE D'AIGUILLES S.A. AND JOSEPH KOCKARTZ

Order Denying Export Privileges

In the matter of Manufacture Belge D'Aiguilles S.A., 77 Hutte, Bd., 104, Eupen, Belgium, and Joseph Kockartz, Panorama 89A, Eupen, Belgium, Respondents.

A charging letter was issued against the above respondents on July 23, 1968, by the Director, Investigations Division, Office of Export Control, in which it was alleged that respondents violated the Export Control Regulations. Violations based on three separate transactions were alleged. The charging letter was duly served on respondents. The respondent, Manufacture Belge D'Aiguilles S.A. (MBA), filed an answer but the respondent Kockartz failed to do so, and in accordance with section 382.4 of the Export Regulation, he was held in default. Pursuant to the provisions of § 382.10 of said regulations, with agreement of the Director of the Investigations Division, the respondent MBA submitted to the Compliance Commissioner a proposal for the issuance of a consent order against it substantially in the form hereinafter set forth. In said consent proposal the said respondent admitted for the purpose of this compliance proceeding only the charges set forth in the charging letter. It waived all right to an oral hearing before the Compliance Commissioner and consented to the issuance of an order against it. It also waived all right of administrative appeal from, and judicial review of, such order.

The Compliance Commissioner held an informal hearing at which evidence relating to the charges, was presented on behalf of the Investigations Division. The Compliance Commissioner reviewed the facts in the case and the consent proposal of respondent MBA. He has approved the consent proposal and has recommended that it be accepted. He also made Findings of Fact and recommended that the sanction hereinafter set forth be imposed against the respondent Kockartz. After considering the record in the case I adopt as my own the Findings of Fact made by the Compliance Commissioner.

FINDINGS OF FACT

1. The respondent Manufacture Belge D'Aiguilles S.A. is a corporation with a place of business in Eupen, Belgium, and is engaged primarily in the manufacture and distribution of needles for home and industrial use. The company also distributes spare parts for sewing and tanning machines. The respondent Joseph Kockartz at the time of the transactions hereinafter described, was an employee in the sales division of the company. Kockartz was primarily responsible for the carrying out of the said transactions which he did on behalf of the company. Except as to the conduct described in Finding 8 herein, Kockartz was acting within the scope of his employment and the company is responsible for his conduct.

2. Findings of Fact numbered 2, 3, and 4 relate to the transaction described in Charge I of the charging letter. Following receipt of an inquiry from the Government of Cuba, the respondents obtained price quotations from a U.S. manufacturer and from said manufacturer's sales agent in West Germany for a list of U.S.-origin spare parts for use in leather tanning machinery. The pro forma invoice which the manufacturer's sales agent furnished to respondents on August 3, 1966 included a destination control notice which stated that disposition of the commodities was prohibited to Cuba and certain other destinations.

3. The respondents, on October 5, 1966, ordered the parts in question from the U.S. manufacturer with the intention of reexporting same from Belgium to Cuba. The respondents represented on the purchase order that the parts were intended for reexportation to the former Belgian Congo.

4. Before the above-mentioned parts were exported from the United States, the Office of Export Control learned of the intended unlawful reexportation to Cuba and prevented exportation of the parts to respondents.

5. Findings of Fact numbered 5, 6, 7, and 8 relate to the transactions described in Charge II of the charging letter. Following receipt of an inquiry from the Government of Cuba, the respondents on October 12, 1966 obtained price quotations for a list of shoe machinery spare parts from a U.S. supplier. On February 27, 1967, the respondents ordered a quantity of the spare parts, valued at approximately $6,260, from the said U.S. supplier.

6. On or about May 12, 1967, the U.S. supplier exported to respondents in Belgium the shoe machinery spare parts above mentioned, ordered by respondents. The bill of lading covering the exportation, a copy of which was received by respondents, contained a destination control notice to the effect that the ultimate destination of the goods was Belgium and that diversion contrary to U.S. law was prohibited.

7. After arrival of the goods in Belgium, respondents reexported same to Cuba without obtaining authorization from the U.S. Government and with knowledge that such prior authorization from the U.S. Government was required.

8. On December 5, 1967, the respondent Kockartz, acting for himself and not for the company, in writing, solicited the U.S. supplier to withhold from the U.S. Government information concerning the aforementioned exportation and to falsify information said supplier would be required to give to the U.S. Government.

9. Findings of Fact numbered 9, 10, and 11 relate to the transaction described in Charge III of the charging letter. Following receipt of an inquiry from the Government of Cuba, the respondents on March 4, 1966, requested price quotations from a U.S. manufacturer on a list of spare parts for tanning machines. The letter from respondents stated that the parts were destined for the former Belgian Congo.

10. On March 22, 1966, the sales agent of the U.S. manufacturer furnished respondents with a pro forma invoice for the parts in question which contained a destination control notice which stated that disposition of the commodities was prohibited to Cuba and certain other destinations.

11. On April 7, 1967, the respondents ordered the parts from the U.S. sales agent of the manufacturer with the intention of reexporting same from Belgium to Cuba. Before the goods were exported from the United States, the Office of Export Control learned of the intended unlawful reexportation to Cuba and prevented exportation of the parts to respondents.

Based on the foregoing, I have concluded that respondents violated the following sections of the Export Regulations in the following manner: § 381.4 in that they ordered U.S.-origin commodities from U.S. suppliers with the intention of reexporting same to Cuba and with knowledge that violations of the Export Regulations were intended to occur with respect to such transaction; § 381.5 in that they made false representations as to the ultimate destination of commodities for the purpose of effecting exportations from the United States; §§ 381.2 and 381.6 in that they knowingly reexported U.S.-origin commodities from Belgium to Cuba without prior authorization of the Office of Export Control which they knew or had reason to know was required.

I have further concluded that the respondent Kockartz violated § 381.3 of said regulations in that he solicited a U.S. supplier to violate § 381.5 of said regulations by withholding information from and falsifying information to the U.S. Government in the course of investigation instituted under authority of the Export Control Act of 1949.

The Compliance Commissioner, in addition to recommending that the consent proposal of MBA be accepted, has recommended that the respondent Kockartz be denied export privileges for 3 years and thereafter be placed on probation for an additional 3 years.

I have considered the record in the case and the recommendations of the Compliance Commissioner concerning acceptance of the consent proposal and the sanction that should be imposed on respondent Kockartz. I am of the view that the recommendations of the Compliance Commissioner are fair and reasonable and are calculated to achieve effective enforcement of the law and the purposes thereof. Accordingly, the consent proposal of MBA is accepted and the following order is entered.

ORDERED

I. All outstanding licenses in which the respondents, Manufacture Belge D'Aiguilles S.A. and Joseph Kockartz, appear or participate in any manner are hereby revoked and shall be returned forthwith to the Bureau of International Commerce for cancellation.

II. Except as qualified in Part IV hereof, the respondent Manufacture Belge D'Aiguilles S.A. for a period of 4 years from the effective date of this order and the respondent Joseph Kockartz for a period of 6 years from the effective date of this order are hereby denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction, involving commodities or technical data exported from the United States in whole or in part, or to be exported, or which are otherwise subject to the Export Control Regulations. Without limitation of the generality of the foregoing, participation prohibited in any such transaction either in the United States or abroad shall include participation: (a) As a party or as a representative of a party to any validated export license application; (b) in the preparation or filing of any export license application or reexportation authorization, or document to be submitted therewith; (c) in the obtaining or using of any validated or general export license or other export control documents; (d) in the carrying on of negotiations with respect to, or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data; (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

III. Such denial of export privileges shall extend not only to the respondents but also to their agents and employees and to any person, firm, corporation, or other business organization with which they now or hereafter may be related by affiliation, ownership, control, position of responsibility or other connection in the conduct of trade or services connected therewith.

IV. One year after the effective date of this order the privileges denied to the respondent Manufacture Belge D'Aiguilles S.A. shall be restored conditionally and thereafter said respondent shall be on probation for the remainder of the 4-year-denial period. Three years after the effective date of this order the privileges denied to the respondent Kockartz shall be restored conditionally and thereafter said respondent shall be on probation for the remainder of the 6-year-denial period. The condition of probation is that the respondents shall fully comply with all requirements of the Export Control Act of 1949, as amended, and all regulations, licenses and orders issued thereunder, including this order.

V. In the event the respondents knowingly violate the terms and conditions of this order during the period of probation or knowingly violate any of the laws or regulations relating to export control at any time during the entire period of this order, the Director, Investigations Division, may in his discretion, apply to the Compliance Commissioner, after giving the respondents written or oral notice of such proposed application, for an order revoking all export privileges for the remaining period of probation. If such action be taken it will in no way limit the Bureau of International Commerce from taking further action based on such violation as it shall deem necessary and proper. Any such application for revocation of probation and the proceedings to be conducted thereunder shall be in accordance with § 382.16 of the Export Regulations.

VI. During the time when the respondents or other persons within the scope of this order are prohibited from engaging in any activity within the scope of Part II hereof, no person, firm, corporation, partnership, or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, in any manner or capacity, on behalf of or in any association with the respondents or other persons denied export privileges within the scope of this order, or whereby said respondents or such other persons may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly; (a) apply for, obtain, transfer, or use any license, Shipper's Export Declaration, bill of lading, or other export control document relating to any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for the respondents or other persons denied export privileges within the scope of this order; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

VII. The respondent Manufacture Belge D'Aiguilles S.A. shall send a copy

of this order to all persons and firms related to it in a corporate structure or otherwise, so that such persons and firms will have notice that they can not act for said respondent to violate or evade the terms of this order.

This order shall be effective on November 19, 1968.

Dated: November 12, 1968.

RAUER H. MEYER,
Director,
Office of Export Control.

[F.R. Doc. 68-13846; Filed, Nov. 18, 1968; 8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

GEIGY CHEMICAL CORP.

Notice of Amended Filing of Petition Regarding Pesticides

Notice was given in the FEDERAL REGISTER of February 3, 1968 (33 F.R. 2575), that a petition (PP 8F0686) had been filed by the Geigy Chemical Corp., Ardsley, N.Y. 10502, proposing the establishment of tolerances for residues of the insecticide *O,O*-diethyl *O*-(2-isopropyl-4-methyl-6-pyrimidinyl) phosphorothioate in or on certain raw agricultural commodities.

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)) and § 120.9 of the pesticide procedural regulations (21 CFR 120.9), notice is given that said petition has been amended so that it proposes the establishment of tolerances for residues of the insecticide in or on the raw agricultural commodities: Lespedeza at 1 part per million; dandelions and mustard greens at 0.75 part per million; almonds, filberts, pecans, and walnuts (in or on nut meats after shell is removed) at 0.5 part per million; cottonseed at 0.25 part per million; cowpeas (bean and forage) and soybeans (bean and forage) at 0.1 part per million; and eggs, poultry meat, and poultry fat at 0.05 part per million.

Dated: November 8, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-13892; Filed, Nov. 18, 1968; 8:48 a.m.]

ROHM AND HAAS CO.

Notice of Withdrawal of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), the Rohm and Haas Co., Independence Mall West, Philadelphia, Pa. 19105, has withdrawn its petition (FAP 7A2190), notice of which was published in the FEDERAL REGISTER of September 15, 1967 (32 F.R. 13148), and notice of amendment of which was published April 12, 1968 (33 F.R. 5693), proposing a revision as set forth of paragraph (b)(2) of § 121.1148 *Ion-exchange resins.*

Dated: November 8, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-13894; Filed, Nov. 18, 1968; 8:48 a.m.]

W. R. GRACE & CO.

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 9B2351) has been filed by W. R. Grace & Co., Dewey & Almy Chemical Division, 62 Whittemore Avenue, Cambridge, Mass. 02140, proposing that § 121.2550 *Closures with sealing gaskets for food containers* (21 CFR 121.2550) be amended to provide for the safe use of diisodecyl phthalate as an optional component of closure-sealing gaskets for food containers.

Dated: November 8, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-13893; Filed, Nov. 18, 1968; 8:48 a.m.]

DEPARTMENT OF TRANSPORTATION

United States Coast Guard

[CGFR 68-117]

EQUIPMENT, INSTALLATIONS, OR MATERIALS

Approval Notice

1. Various items of lifesaving, firefighting and miscellaneous equipment, installations and materials used on vessels subject to Coast Guard inspection or on certain motorboats and other pleasure craft are required by various laws and regulations in 46 CFR Chapter I to be of types approved by the Commandant, U.S. Coast Guard. The purpose of this document is to notify all concerned that certain approvals were granted or terminated, as described in this document during the period from October 24, 1967, to December 15, 1967 (List Nos. 38-67, 40-67, 41-67, and 42-67). These actions were taken in accordance with the procedures set forth in 46 CFR 2.75-1 to 2.75-50, inclusive. For certain types of equipment, installation and materials, specifications have been prescribed by the Commandant and are published in 46 CFR Parts 160 to 164, inclusive (Subchapter Q—Specifications).

2. The statutory authorities for granting approvals of equipment and the delegation of authority to the Commandant, U.S. Coast Guard, are set forth with the specific specifications governing the item and are set forth in 46 CFR Parts 160 to 164, inclusive (Subchapter Q—Specifications). The general authorities regarding approvals are set forth in sections 367, 375, 390b, 416, 481, 489, 526p, and 1333 in title 46, United States Code, section 1333 in title 43 United States Code, and section 198 in title 50, United States Code, while the implementing regulations requiring such equipment are in 46 CFR Chapter I or 33 CFR Chapter I. The delegation of authority for the Commandant, U.S. Coast Guard, to take appropriate actions with respect to approvals is set forth in section 632 of title 14, United States Code, and the delegation in 49 CFR 1.4(a)(2).

3. In this document are listed the approvals which shall be in effect for a period of 5 years from the dates issued unless sooner canceled or suspended by proper authority.

LIFE PRESERVERS, KAPOK, ADULT AND CHILD (JACKET TYPE) MODELS 3 AND 5

NOTE: Approved for use on all vessels and motorboats.

Approval No. 160.002/116/0, Model 3, adult kapok life preserver, U.S.C.G. Specification Subpart 160.002, manufactured by Ero Manufacturing Co., 308 South Williams Street, Hazlehurst, Ga. 31539, for Sears, Roebuck and Co., 925 South Homan Avenue, Chicago, Ill. 60607, effective December 13, 1967.

Approval No. 160.002/117/0, Model 5, child kapok life preserver, U.S.C.G. Specification Subpart 160.002, manufactured by Ero Manufacturing Co., 308 South Williams Street, Hazlehurst, Ga. 31539, for Sears, Roebuck and Co., 925 South Homan Avenue, Chicago, Ill. 60607, effective December 13, 1967.

GAS MASKS, SELF-CONTAINED BREATHING APPARATUS, AND SUPPLIED-AIR RESPIRATORS

Approval No. 160.011/7/1, ammonia gas mask, Model 677-1, Bureau of Mines Approval No. BM-14F-55, consisting of BM-14F-55, canister, BM-1418 canister harness, and BM-1418A facepiece with BM-1418A head harness, manufactured by Acme Protection Equipment Corp., 1201 Kalamazoo Street, South Haven, Mich. 49090, effective December 13, 1967. (It supersedes Approval No. 160.011/7/0 dated Jan. 22, 1963, to show change in construction.)

Approval No. 160.011/16/0, Acme Type FD all-purpose gas mask, Bureau of Mines Approval No. BM-1436, consisting of BM-1436 canister, BM-1435 timer, BM-1435 canister harness, and BM-1418 facepiece with BM-1418 head harness or BM-1418A facepiece with BM-1418A

head harness, manufactured by Acme Protection Equipment Co., 1201 Kalamazoo Street, South Haven, Mich. 49090, effective October 31, 1967. (It is an extension of Approval No. 160.011/16/0 dated Jan. 22, 1963.)

Approval No. 160.011/25/0, Davis Universal Gas Mask No. BM–1448A, Bureau of Mines Approval No. BM–1448A, consisting of BM–1448A canister, BM–1448 timer, 81229 check valve, BM–1448 canister harness, and BM–1408F facepiece, manufactured by Davis Emergency Equipment Co., Inc., 45 Halleck Street, Newark, N.J. 07104, effective December 5, 1967. (It supersedes Approval No. 160.011/25/0 dated February 18, 1963, to show minor change in construction.)

Approval No. 160.011/43/0, Scott/Draeger BG–174 (800511–00), permissible self-contained 2-hour compressed oxygen breathing apparatus, Bureau of Mines Approval No. 13D–16, only for use with BM–13D–16 facepiece and BM–13D–16 sorbent canister, Scott assembly dwg. No. 800511, Rev. F dated December 11, 1967, Modification Sheet dated September 7, 1967, and Bureau of Mines Approval Label No. 13D–16, manufactured by Scott Aviation Corp., 225 Erie Street, Lancaster, N.Y. 14086, effective December 15, 1967.

Approval No. 160.011/44/0, Scott/Draeger BG–174 (800511–01), permissible self-contained 2-hour compressed oxygen breathing apparatus, Bureau of Mines Approval No. 13D–16, only for use with BM–13D–16 facepiece and BM–13D–16 sorbent canister, Scott assembly dwg. No. 800511, Rev. F dated December 11, 1967, Modification Sheet dated September 7, 1967, and Bureau of Mines Approval Label No. 13D–16 manufactured by Scott Aviation Corp., 225 Erie Street, Lancaster, N.Y. 14086, effective December 15, 1967.

WINCHES, LIFEBOAT

Approval No. 160.015/50/2, Type HM lifeboat winch for use with mechanical davits, fitted with wire rope not more than one-half-inch in diameter and with not more than 7 wraps of the falls on the drums; approval is limited to mechanical components and for a maximum working load of 6,600 pounds pull at the drums (3,300 pounds per fall), identified by left hand assembly dwg. No. L–22000–E–4 dated April 22, 1957, manufactured by Marine Safety Equipment Corp., Foot of Paynter's Road, Farmingdale, N.J. 07727, effective December 5, 1967. (It is an extension of Approval No. 160.015/50/2 dated Jan. 22, 1963, and change of address.)

Approval No. 160.015/79/1, Type R55–G lifeboat winch; approval is limited to mechanical components only and for a maximum working load of 11,120 pounds pull at the drums (5,560 pounds per fall); identified by general assembly dwg. No. 1013–2R–2 (Sheets 1 and 2) dated October 16, 1967, and drawing list dated November 7, 1967, requires wire rope falls of not less than 33,400 pounds breaking strength, assembled by Marine Engine Specialties Corp., 556 Broome Street, New York, N.Y. 10013, tested by Marine Safety Equipment Corp. at Point Pleasant Beach, N.J., and issued to Marine Safety Equipment Corp., Foot of Paynter's Road, Farmingdale, N.J. 07727, effective November 17, 1967. (It supersedes Approval No. 160.015/79/0 dated Feb. 28, 1966, to show change in design.)

Approval No. 160.015/91/0, lifeboat winch, Type GPD–63; approval is limited to mechanical components only and for a maximum working load of 6,300 pounds pull at the drums (3,150 pounds per fall); identified by gear case assembly dwg. No. W2–F–004, revision B dated July 11, 1967, and drawing list dated September 7, 1967, approval is limited for use with type GPD–63 gravity pivot davit (Approval No. 160.032/176/0), manufactured by Marine Safety Equipment Corp., Foot of Paynter's Road, Farmingdale, N.J. 07727, effective November 8, 1967.

CONTAINER FOR PROVISIONS

Approval No. 160.026/12/3, container for emergency provisions, dwg. No. 204–P, dated October 22, 1957, and specification 204–S–1, dated October 22, 1957, manufactured by Globe Equipment Corp., 257 Water Street, Brooklyn, N.Y. 11201, effective November 14, 1967. (It is an extension of Approval No. 160.026/12/3 dated February 18, 1963.)

LIFE FLOATS

Approval No. 160.027/61/1, Model 8610, 7.0′ x 3.16′ (9″ x 11¼″ body section) rectangular life float, fibrous glass reinforced plastic (F.R.P.) shell with unicellular polyurethane foam core, 10-person capacity, dwg. No. 21968 dated February 1, 1965, and revised November 11, 1967, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N.Y. 11201, effective November 27, 1967. (It supersedes Approval No. 160.027/61/0 dated June 22, 1965, to show change in construction.)

Approval No. 160.027/71/0, Model 8712, 7.0′ x 3.16′ (9″ x 11¼″ body section) rectangular life float, fibrous glass reinforced plastic (F.R.P.) shell with unicellular polyurethane foam core, 12-person capacity, dwg. No. 8712/10/67 dated October 13, 1967, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N.Y. 11201, effective November 28, 1967.

DAVITS

Approval No. 160.032/176/0, gravity pivot davit, type GPD–63; approved for a maximum working load of 12,600 pounds per set (6,300 pounds per davit arm) using 2-part falls; identified by general arrangement dwg. No. D1–F–010, revision D dated August 25, 1967, and drawing list dated September 7, 1967, approval is limited for use with type GPD–63 lifeboat winch (Approval No. 160.015/91/0), manufactured by Marine Safety Equipment Corp., Foot of Paynter's Road, Farmingdale, N.J. 07727, effective November 8, 1967.

MECHANICAL DISENGAGING APPARATUS, LIFEBOAT

Approval No. 160.033/53/0, Type L–1B, Rottmer type releasing gear, approved for maximum working load of 37,000 pounds per set (18,500 pounds per hook), identified by assembly dwg. No. M–125–17 dated May 17, 1957, and revised July 25, 1957, manufactured by Marine Safety Equipment Corp., Foot of Paynter's Road, Farmingdale, N.J. 07727, effective October 31, 1967. (It is an extension of Approval No. 160.033/53/0 dated November 1, 1962.)

LIFEBOATS

Approval No. 160.035/279/2, 30.0′ x 10.0′ x 4.13′ aluminum, hand-propelled lifeboat, 70-person capacity, identified by construction and arrangement dwg. No. 30–1B, Alt. C dated November 11, 1967, manufactured by Marine Safety Equipment Corp., Foot of Paynter's Road, Farmingdale, N.J. 07727, effective November 30, 1967. (It supersedes Approval No. 160.035/279/1 dated Nov. 1, 1962, to show change in construction and address.)

Approval No. 160.035/442/1, 26.0′ x 7.88′ x 3.54′ aluminum, motor-propelled (Diesel 6-knot) lifeboat, without radio cabin (Class 1), 40-person capacity, identified by construction and arrangement dwg. No. 26–11C, Rev. D dated July 27, 1967 (boats' serial Nos. 1599 and 1600 approved for 41-person capacity, for the vessels AGOR–9 and AGOR–10), manufactured by Marine Safety Equipment Corp., Foot of Paynter's Road, Farmingdale, N.J. 07727, effective October 31, 1967. (It supersedes Approval No. 160.035/442/0 dated Apr. 22, 1965, to show change in construction.)

BUOYANT CUSHIONS, UNICELLULAR PLASTIC FOAM

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.049/50/0, group approval for rectangular and trapezoidal unicellular plastic foam buoyant cushions, U.S.C.G. Specification Subpart 160.049, sizes to be as per Table 160.049–4 (c)(1), manufactured by International Cushion Co., 1110 Northeast Eighth Avenue, Fort Lauderdale, Fla. 33311, effective November 14, 1967. (It is an extension of Approval No. 160.049/50/0 dated Feb. 28, 1963.)

Approval No. 160.049/71/0, special approval for 15½″ x 14⅞″ x 4⅜″ (cored) rectangular unicellular plastic foam, vinyl dipped, buoyant cushion dwg. No. 5334–X dated November 4, 1963, revised September 28, 1967, manufactured by Martin Industries, Post Office Box 423, Clayton, Ala. 36016, for Hurtsboro Oak Flooring Co., Inc., Hurtsboro, Ala. 36860, effective October 31, 1967.

BUOYANT VESTS, UNICELLULAR PLASTIC FOAM, ADULT AND CHILD

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.052/341/0, Type II, Model 57351, adult cloth-covered unicellular plastic foam buoyant vest, manufactured by Ero Manufacturing Co., 308 South Williams Street, Hazlehurst, Ga. 31539, for Sears, Roebuck and Co., 925 South Homan Avenue, Chicago, Ill. 60607, effective December 7, 1967. (It supersedes Approval No. 160.052/341/0

dated November 30, 1966, to show change in model number.)

Approval No. 160.052/342/0, Type II, Model 57352, child medium cloth-covered unicellular plastic foam buoyant vest, manufactured by Ero Manufacturing Co., 308 South Williams Street, Hazlehurst, Ga. 31539, for Sears, Roebuck and Co., 925 South Homan Avenue, Chicago, Ill. 60607, effective December 7, 1967. (It supersedes Approval No. 160.-052/342/0 dated Nov. 30, 1966, to show change in model number.)

Approval No. 160.052/343/0, Type II, Model 57353, child small cloth-covered unicellular plastic foam buoyant vest, manufactured by Ero Manufacturing Co., 308 South Williams Street, Hazlehurst, Ga. 31539, for Sears, Roebuck and Co., 925 South Homan Avenue, Chicago, Ill. 60607, effective December 7, 1967. (It supersedes Approval No. 160.052/343/0 dated Nov. 30, 1966, to show change in model number.)

Approval No. 160.052/356/0, Type II, Model No. 104, adult, molded vinyl-dipped unicellular plastic foam buoyant vest, dwg. No. 5581–DA dated March 22, 1967, manufactured by Billy Boy Products, Inc., Quincy, Mich. 49082, effective October 25, 1967.

Approval No. 160.052/357/0, Type II, Model No. 105, child medium, molded vinyl-dipped unicellular plastic buoyant vest, dwg. No. 5622–BA dated March 22, 1967, manufactured by Billy Boy Products, Inc., Quincy, Mich. 49082, effective October 25, 1967.

Approval No. 160.052/358/0, Type II, Model No. 106, child small, molded vinyl-dipped unicellular plastic foam buoyant vest, dwg. No. 5623–BA dated March 22, 1967, manufactured by Billy Boy Products, Inc., Quincy, Mich. 49082, effective October 25, 1967.

WORK VESTS, UNICELLULAR PLASTIC FOAM

Approval No. 160.053/24/0, model CG–900, vinyl coated unicellular plastic foam work vest, dwg. Nos. Sheet No. 1, Sheet No. 2, Sheet No. 3; Revision 2 dated November 2, 1967, manufactured by Style-Crafters, Inc., Post Office Box 8277, Station A, Greenville, S.C. 29604, effective November 8, 1967.

LIFE PRESERVERS, UNICELLULAR PLASTIC FOAM, ADULT AND CHILD

NOTE: Approved for use on all vessels and motorboats.

Approval No. 160.055/56/0, Type II, Model 8115, adult molded cloth covered unicellular plastic foam life preserver, dwg. No. 8115/10/67 dated October 5, 1967, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N.Y. 11201, effective October 24, 1967.

Approval No. 160.055/57/0, Type II, Model 8116, child molded cloth covered unicellular plastic foam life preserver, dwg. No. 8115/10/67 dated October 5, 1967, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N.Y. 11201, effective October 24, 1967.

Approval No. 160.055/79/0, Type II, Model No. 501–U–22 (Mariner III), adult vinyl dip coated unicellular plastic foam life preserver, U.S.C.G. Specification Subpart 160.055 and Gentex dwg. No. 67F1786 dated September 12, 1967, and dwg. No. 67F1785 dated August 15, 1967, manufactured by Gentex Corp., Carbondale, Pa. 18407, effective December 5, 1967.

FIRE PROTECTIVE SYSTEMS

Approval No. 161.002/9/0, supervised automatic and manual fire alarm control system consisting of a control unit (dwgs. 55–124, 55–125, 55–127); zone module assembly (dwg. 55–126); and battery charging panel, 5 amp (dwg. 55–129) or 10 amp (dwg. 55–128) (this system is intended for use with two 24-volt storage batteries, one of which is on charge while the other is supplying the system, and bells, manual alarm stations, test stations, and thermostats approved by the U.S. Coast Guard), manufactured by Henschel Corp., Amesbury, Mass. 01913, effective November 17, 1967. (It supersedes Approval No. 161.002/7/1 dated Aug. 24, 1966, to show change of manufacturer and component drawings.)

FLASHLIGHTS, ELECTRIC, HAND

Approval No. 161.008/15/2, No. 2217 explosion-proof flashlight, Type II, size 2 (2-cell), identified by assembly dwg. No. 3F–1905–B dated August 3, 1967, revised November 17, 1967 (each flashlight shall be plainly marked with the name of the manufacturer and the above model number), manufactured by Bright Star Industries, 600 Getty Avenue, Clifton, N.J. 07011, effective December 13, 1967. (It supersedes Approval No. 161.008/15/1 dated Apr. 4, 1967, to show plan updating.)

Approval No. 161.008/16/2, No. 2224 explosion-proof flashlight, Type II, size 3 (3-cell), identified by assembly dwg. No. 3F–1905–B dated August 3, 1967, revised November 17, 1967 (each flashlight shall be plainly marked with the name of the manufacturer and the above model number), manufactured by Bright Star Industries, 600 Getty Avenue, Clifton, N.J. 07011, effective December 13, 1967. (It supersedes Approval No. 161.008/16/1 dated Apr. 4, 1967, to show plan updating.)

SAFETY VALVES (POWER BOILERS)

Approval No. 162.001/183/0, Type 1531–P1, consolidated drum pilot actuator pop safety valve, maximum pressure 1,050 p.s.i., maximum temperature 1,000° F., dwg. No. 3VN953 dated August 13, 1952, approved for 1½" and 2" sizes bore diameter 1½" (formerly Manning, Maxwell & Moore, Inc., Stratford, Conn.), manufactured by DRESSER, Industrial Valve & Instrument Division, Post Office Box 1430, Alexandria, La. 71302, effective November 1, 1967. (It is an extension of Approval No. 162.001/183/0 dated November 1, 1962, and change of name and address of manufacturer.)

Approval No. 162.001/184/1, Type 1531–P2 consolidated drum pilot actuator pop safety valve, maximum pressure 725 p.s.i., maximum temperature 1,000° F., dwg. No. 3VN953, Rev. 1 dated August 9, 1957, approved for 1½" and 2" sizes, bore diameter 1⅞" (formerly Manning, Maxwell & Moore, Inc., Stratford, Conn.), manufacured by DRESSER, Industrial Valve & Instrument Division, Post Office Box 1430, Alexandria, La. 71302, effective November 1, 1967. (It is an extension of Approval No. 162.001/184/1 dated Nov. 1, 1962, and change of name and address of manufacturer.)

Approval No. 162.001/185/0, Type 1531–U1, consolidated superheater unloader safety valve, maximum pressure 1,000 p.s.i., maximum temperature 1,000° F., dwg. No. 3VM953 dated September 4, 1952, approved for 2" and 2½" sizes, bore diameter 1½" (formerly Manning, Maxwell & Moore, Inc., Stratford, Conn.) manufactured by DRESSER, Industrial Valve & Instrument Division, Post Office Box 1430, Alexandria, La. 71302, effective November 1, 1967. (It is an extension of Approval No. 162.001/185/0 dated November 1, 1962, and change of name and address of manufacturer.)

Approval No. 162.001/186/0, Type 1531–U2, consolidated superheater unloader safety valve, maximum pressure 1,000 p.s.i., maximum temperature 1,000° F., dwg. No. 3VM953 dated September 4, 1952, approved for 2" and 2½" sizes, bore diameter 1⅝" (formerly Manning, Maxwell & Moore, Inc., Stratford, Conn.), manufactured by DRESSER, Industrial Valve & Instrument Division, Post Office Box 1430, Alexandria, La. 71302, effective November 1, 1967. (It is an extension of Approval No. 162.001/186/0 dated November 1, 1962, and change of name and address of manufacturer.)

Approval No. 162.001/187/0, Type 1531–U3, consolidated superheater unloader safety valve, maximum pressure 600 p.s.i., maximum temperature 1,000° F., dwg. No. 3VM953 dated September 4, 1952, approved for 2½" size, bore diameter 1¾" (formerly Manning, Maxwell & Moore, Inc., Stratford, Conn.), manufactured by DRESSER, Industrial Valve & Instrument Division, Post Office Box 1430, Alexandria, La. 71302, effective November 1, 1967. (It is an extension of Approval No. 162.001/187/0 dated November 1, 1962, and change of name and address of manufacturer.)

Approval No. 162.001/188/0, Type 1531–U4, consolidated superheater unloader safety valve, maximum pressure 600 p.s.i., maximum temperature 1,000° F., dwg. No. 3VM953 dated September 4, 1952 approved for 2½" size, bore diameter 2" (formerly Manning, Maxwell & Moore, Inc., Stratford, Conn.), manufactured by DRESSER, Industrial Valve & Instrument Division, Post Office Box 1430, Alexandria, La. 71302, effective November 1, 1967. (It is an extension of Approval No. 162.001/188/0 dated November 1, 1962, and change of name and address of manufacturer.)

GAUGING DEVICES, LIQUID LEVEL, LIQUEFIED COMPRESSED GAS

Approval No. 162.019/34/0, Model No. 92154–03, liquid level gage for refrigerated ammonia and propane service, Shand and Jurs Co., dwg. No. 92154–03 Rev. B, approved for use above —50° F.

minimum operating temperature, manufactured by General Precision Inc., Industrial Controls Division, 6511 Oakton Street, Morton Grove, Ill. 60053, effective November 7, 1967.

CARBON DIOXIDE TYPE FIRE EXTINGUISHING SYSTEMS

Approval No. 162.038/6/0, "Cardox SERIES 65" marine type high pressure carbon dioxide type fire extinguishing systems; typical installation dwg. Nos. FD–46327 (Sheets 1 through 3) Rev. C, and D–46687 Rev. B, dated June 23, 1967, Specification dwg. No. FB–49098 Rev. A dated June 28, 1967, and Equipment List A–46305 (Sheets 1 through 15) Rev. A dated July 5, 1967 (plant: Monee, Ill.), manufactured by CARDOX, Division of Chemetron Corp., 840 North Michigan Avenue, Chicago, Ill. 60611, effective December 5, 1967.

BACKFIRE FLAME CONTROL, GASOLINE ENGINES; FLAME ARRESTERS, FOR MERCHANT VESSELS AND MOTORBOATS

Approval No. 162.041/101/0, Kiekhaefer backfire flame arrester, Kiekhaefer drawing 47934A1 dated September 11, 1967, using Bendix Part No. C–177–12 flame arrester element and Bendix retainer-element C–178–10A, manufactured by Kiekhaefer Corp., 1939 Pioneer Road, Fond Du Lac, Wis. 54935, effective October 26, 1967.

Approval No. 162.041/102/0, Barbron Model No. 400–20 backfire flame arrester for gasoline engines, dwg. No. A–5576 dated October 17, 1967, manufactured by Barbron Corp., 14580 Lesure Avenue, Detroit, Mich. 48227, effective November 21, 1967.

STRUCTURAL INSULATIONS

Approval No. 164.007/22/0, "B–E–H 8-pound felt" mineral wool type structural insulation identical to that described in National Bureau of Standards letter, File III–6/26, dated July 16, 1943, approved for use without other insulating material to meet Class A–60 requirements in a 3" thickness and 8 pounds per cubic foot density, manufactured by Baldwin-Ehret-Hill, Inc., 500 Breunig Avenue, Trenton, N.J. 08638, effective December 13, 1967. (It is an extension of Approval No. 164.007/22/0 dated Feb. 12, 1963.)

Approval No. 164.007/23/0, "B–E–H Mono-Block" mineral wool type structural insulation identical to that described in National Bureau of Standards Test Reports Nos. TG3619–47:FR1820 dated January 7, 1941, and TG3610–1493:FP2569 dated November 10, 1947, boards approved for use without other insulating material to meet Class A–60 requirements in a 2" thickness and 18 pounds per cubic foot density, manufactured by Baldwin-Ehret-Hill, Inc., 500 Breunig Avenue, Trenton, N.J. 08638, effective December 13, 1967. (It is an extension of Approval No. 164.007/23/0 dated Feb. 12, 1963.)

INCOMBUSTIBLE MATERIALS

Approval No. 164.009/12/0, "Thermoflex", plaster type incombustible material identical to that described in National Bureau of Standards Test Report No. TG3610–1496:FP2574 dated December 4, 1947, manufactured by Kompolite Products Co., Inc., 55 Webster Avenue, New Rochelle, N.Y. 10801, effective December 13, 1967. (It is an extension of Approval No. 164.009/12/0 dated Feb. 12, 1963.)

Approval No. 164.009/13/0, "Transite", absestos cement board type incombustible material identical to that described in National Bureau of Standards Test Report No. TG3610–1495:FP2573 dated November 28, 1947 (formerly approved under the name of "J–M TRANSITE"), manufactured by Johns-Manville Sales Corp., 22 East 40th Street, New York, N.Y. 10016, effective December 5, 1967. (It is an extension of Approval No. 164.009/13/0 dated Feb. 12, 1963.)

Approval No. 164.009/14/0, "BX-SPINTEX", mineral wool insulation type incombustible material identical to that described in National Bureau of Standards Test Report No. TG3610–1493: FP2569 dated November 10, 1947, approved in a range from 3 through 8 pounds per cubic foot density (formerly approved under name of "J–M BX–4M"), manufactured by Johns-Manville Sales Corp., 22 East 40th Street, New York, N.Y. 10016, effective November 22, 1967. (It is an extension of Approval No. 164.009/14/0 dated Feb. 12, 1963.)

Approval No. 164.009/16/1, "No. 100 Ultralite MC Insulation," glass wool insulation type incombustible material identical to that described in National Bureau of Standards Test Report No. TG3610–1519:FP2622 dated May 19, 1948, approved in a 1-pound per cubic foot density (product manufactured at Plant No. 7, 3031 Fiberglas Road, Kansas City, Kans., formerly Gustin-Bacon Manufacturing Co.), manufactured by Certain-Teed/Saint Gobain Insulation Corp., 100 Presidential Boulevard, Bala-Cynwyd, Pa. 19004, effective October 31, 1967. (It supersedes Approval No. 164.009/16/1 dated Dec. 7, 1964, to show change in name and address of manufacturer.)

Approval No. 164.009/23/0, "No. 75 Ultralite MC Insulation," glass wool insulation type incombustible material identical to that described in National Bureau of Standards Test Report No. TG10210–1656:FP2855 (Test No. 122822) dated December 13, 1949, approved in a density of 0.75 pound per cubic foot (product manufactured at Plant No. 7, 3031 Fiberglas Road, Kansas City, Kans., formerly Gustin-Bacon Manufacturing Co.), manufactured by Certain-Teed/Saint Gobain Insulation Corp., 100 Presidential Boulevard, Bala-Cynwyd, Pa. 19004, effective October 31, 1967. (It supersedes Approval No. 164.009/23/0 dated Feb. 5, 1965, to show change in name and address of manufacturer.)

Approval No. 164.009/24/0, "No. 150 Ultralite MC Insulation," glass wool insulation type incombustible material identical to that described in National Bureau of Standards Test Report No. TG10210–1656:FP2855 (Test No. 122822) dated December 13, 1949, approved in a density of 1.48 pounds per cubic foot (product manufactured at Plant No. 7, 3031 Fiberglas Road, Kansas City, Kans., formerly Gustin-Bacon Manufacturing Co.), manufactured by Certain-Teed/Saint Gobain Insulation Corp., 100 Presidential Boulevard, Bala-Cynwyd, Pa. 19004, effective October 31, 1967. (It supersedes Approval No. 164.009/24/0 dated Feb. 5, 1965, to show change in name and address of manufacturer.)

Approval No. 164.009/82/1, "Ultrafine CG No. 1 through CG No. 7," fibrous glass type incombustible material identical to that described in National Bureau of Standards Test Report Nos. TG10210–2120:FR3651 dated June 7, 1965, and TG10210–2122:FR3653 dated September 17, 1965, approved in a range from ½ through 3 pounds per cubic foot density (product manufactured at Plant No. 7, 3031 Fiberglas Road, Kansas City, Kans., formerly Gustin-Bacon Manufacturing Co.), manufactured by Certain-Teed/Saint Gobain Insulation Corp., 100 Presidential Boulevard, Bala-Cynwyd, Pa. 19004, effective October 30, 1967. (It supersedes Approval No. 164.009/82/1 dated Sept. 24, 1965, to show change in name and address of manufacturer.)

Approval No. 164.009/89/0, "Fiberglas Insulation PF-CG," glass wool insulation type incombustible material identical to that described in National Bureau of Standards Test Report No. TG10230–29:FR3661 dated January 20, 1966, and Owens-Corning letter dated August 27, 1963, approved in a 6 pounds per cubic foot density in bat, blanket, and molded form, manufactured by Owens-Corning Fiberglas Corp., Toledo, Ohio 43602, effective November 1, 1967. (It supersedes Approval No. 164.009/89/0 dated July 29, 1966, to clarify description.)

Approval No. 164.009/105/0, "Luwal No. 60," acrylic finished fibrous glass cloth-faced fibrous glass insulation board incombustible type material identical to that described in National Bureau of Standards Test Report No. TG10210–2157:FR3694 dated October 25, 1967, and U.S.C.G. letter dated October 31, 1967, approved in a density of 4.4 pounds per cubic foot, manufactured by Avallone Corp., Grove and Rutgers Avenue, Cedar Grove, N.J. 07009, effective October 31, 1967.

Approval No. 164.009/108/0, "Fiberglas Incombustible Marine Pipe Insulation Type I", fibrous glass type incombustible material identical to that described in National Bureau of Standards Test Report No. TG10210–2162:FR3699 dated November 28, 1967, approved in a $4\frac{1}{2}\pm0.5$ pounds per cubic foot density, manufactured by Owens-Corning Fiberglas Corp., Toledo, Ohio 43601, effective December 15, 1967.

Dated: November 13, 1968.

P. E. TRIMBLE,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

[F.R. Doc. 68–13831; Filed, Nov. 18, 1968; 8:47 a.m.]

CIVIL SERVICE COMMISSION

POSITIONS FOR WHICH COMMISSION HAS PRESCRIBED MINIMUM EDUCATIONAL REQUIREMENTS

Notice of Decision To Revise Prescribed Minimum Educational Requirements

In accordance with section 3308 of title 5, United States Code, the Civil Service Commission has decided that the previously approved minimum educational requirements for Student Trainee positions should be superseded by revised requirements. The positions are in the General Student Trainee Series, GS–099, Social Science Student Trainee Series, GS–199, Biological Science Student Trainee Series, GS–499, Accounting Student Trainee Series, GS–599, Engineering and Architecture Student Trainee Series, GS–899, Physical Science Student Trainee Series, G–1399, and Mathematical Science Student Trainee Series, GS–1599. Identification of the superseded requirements, the revised requirements, the duties of the positions, and the reasons for the Commission's decision that these requirements are necessary are set forth below.

STUDENT TRAINEE (APPROPRIATE SPECIALTY) GS–2/5

Superseded Requirements. The following material supersedes that previously published in 21 F.R. 6627, September 5, 1956 as amended in 24 F.R. 6829, August 22, 1959.

Minimum Educational Requirements.

Basic Requirement For All Student Trainee Positions. Candidates must have been enrolled or accepted for enrollment in an accredited college or university in a curriculum leading to the bachelor's degree; or they must have been graduated from an accredited high school with credits in all courses required for admission to such a college curriculum and they must have the intention of enrolling and beginning their college study within 4 months of the date of entrance on duty in the student trainee positions. The college study must lead to a bachelor's degree with specialization in or directly related to the field in which they will receive training on the job. The degree of specialization in this field must satisfy on graduation the specific educational requirements in the qualification standard for the corresponding professional positions. The basic requirement for all student trainee positions is fully qualifying for GS–2.

Additional Requirements.

For Student Trainee GS–3. One full academic year of study.

For Student Trainee GS–4. Two full years of academic study.

For Student Trainee GS–5. (a) Three-fourths of the total number of periods of study in college required for the bachelor's degree and one period of employment as Student Trainee GS–4; or (b) 2½ years of academic study plus 6 months of Student Trainee GS–4 work experience.

Duties. The duties of a Student Trainee consist of a combination of (1) planned on-the-job training in a Federal establishment, and (2) scholastic training at an accredited college or university leading to a bachelor's degree in a professional field. While on the job in a Federal establishment, student trainees will perform preprofessional duties pertinent to the professional field for which they are being trained.

Reasons for Requirements. Student Trainees are employed for the purpose of training them for advancement to professional positions in the employing establishment upon completion of the training program. Since the duties of the position involve both preprofessional work-training and progressive educational attainment leading to a bachelor's degree, candidates must have the specified education in order to be enrolled at the required level of study in an accredited college or university.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 68–13848; Filed, Nov. 18, 1968; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 18376; FCC 68–1098]

WATR, INC. (WATR–TV)

Memorandum Opinion and Order Designating Application for Hearing on Stated Issues

In re Application of WATR, Inc. (WATR–TV), Waterbury, Conn., for construction permit to change facilities of existing television broadcast station, Docket No. 18376, File No. BPCT–3888.

1. The Commission has before it for consideration the (a) application captioned above filed November 17, 1966, as amended, (b) petitions to deny filed by Connecticut Television, Inc., licensee of Station WHNB–TV Channel 30, New Britain, Conn., and Impart Systems, Inc., permittee of Station WTVU, Channel 59, New Haven, Conn., and (c) various related pleadings.[1]

2. WATR, Inc., presently operates with a visual effective radiated power of 200 kw. in the horizontal plane (398 kw. maximum at 1 degree tilt) with an antenna height above average terrain of 510 feet at a location of 0.2 miles south of Waterbury. The proposed operation specifies a horizontal visual effective radiated power of 792.5 kw. (1000 kw. maximum at 0.7° tilt) with antenna height above average terrain of 1240 feet a location approximately 8 miles southeast of the present site.

3. Connecticut Television, Inc. (hereinafter Contel) claims standing pursuant to section 309(d) of the Communications Act of 1934, as amended, and in support alleges that WATR would, in the event of a grant, be direct competition for audience and revenues, that both stations are affiliates of same network and the resulting duplication will cause a reduction of rates, and that as a result the petitioner will suffer economic injury and would otherwise be adversely affected. We find that Contel's allegations of fact are sufficient to support its claim to standing as a party in interest. Federal Communications Commission v. Sanders Brothers Radio Station 309 U.S. 470.

7. In asserting that from the proposed site WATR will not place a minimum signal of 80 dbu over Waterbury, Contel, and Impart have attacked applicant's technical showing which is based on "A Method of Predicting the Coverage of a Television Station" by J. Epstein and D. W. Peterson (Epstein-Peterson), and allege that the Epstein-Peterson method has been superseded by more recent studies. Contel, instead uses a different method, the La Grone analysis, and states that based upon the La Grone method 60 percent of Waterbury would lie below line-of-sight as compared with 17 percent from the present site, and that this will result in severe shadowing so that there will be a marked deterioration of service to Waterbury. Under these circumstances, Contel contends that there is no compliance with § 73.685(b) of the Rules and that a grant would be inconsistent with the public interest citing Television Corporation of Michigan, Inc. v. Federal Communications Commission 111 U.S. App. D.C. 101.

8. Contel next argues that given failure to provide a city grade signal over Waterbury, the location of the proposed site closer to New Haven than to Waterbury and the fact that a predicted city grade signal will be provided to all of New Haven for the first time it is clear that WATR is seeking to become a New Haven station thus effecting a de facto reallocation of Channel 20 inconsistent with the provisions of section 73.607 of the rules. St. Anthony Television Corporation 10 RR 2d 38. Moreover, Contel contends that the Commission's decisions in the Triangle Cases[2] which denied a similar move by Station WHNC-TV, Channel 8, New Haven (UHF impact) demonstrated a concern for the delicate balance of TV allocations in the area and that the principles enunciated therein are equally applicable to the case at hand.

4. Impart Systems, Inc. (hereinafter Impart), filed its petition to deny on March 18, 1968, approximately 16 months after the filing date of the application. The contention is made that since Impart was not at the time the permittee, it could not have filed a petition; however, the applicant points out that after Impart's interest ripened it nevertheless did not file until seven months after that date and it has not justified the late filing. Applicant contends therefore, the

[1] These pleadings are listed in an attached Appendix.

[2] Triangle Publications, Inc., 17 RR 624; aff'd 110 U.S. App. D.C. 214 (1961) Triangle Publications, Inc., 3 RR 2d 37.

Impart petition is hopelessly untimely and must be dismissed. Impart argues that it has standing and that it would have standing to file a petition for reconsideration in the event of a grant and should therefore be given standing to file at this time. We agree with the applicant that the petition is not timely and that no justification for filing long after its interest ripened has been submitted. We must conclude, therefore, that Impart has not asserted its claim timely. The fact that Impart may at some time in the future have standing to file a petition for reconsideration does not operate to make its petition timely. However, the allegations are quite similar to the Contel's petition and, therefore, we will treat the Impart pleadings as informal objections pursuant to section 1.587 of the rules and consider them on the merits.

5. Contel and Impart urge denial of the WATR application because the proposal is allegedly inconsistent with the provisions of § 73.685 (a) and (b) of the rules[3] and would result in a loss of service to the people of Waterbury; that a grant would have an adverse impact upon UHF development in that it would foreclose the activation of Station WTVU in New Haven; and that a grant would effect a de facto reallocation of Channel 20 inconsistent with the provisions of Section 73.606, of the Commission's rules. The foregoing are the "major defects" according to Contel and Impart.

Section 73.685(b) provides:

"Location of the antenna at a point of high elevation is necessary to reduce to a minimum the shadow effect on propagation due to hills and buildings which may reduce materially the intensity of the stations' signals. In general, the transmitting antenna of a station should be located at the most central point at the highest elevation available. To provide the best degree of service to an area it is usually preferable to use a high antenna rather than a low antenna with increased transmitter power. The location should be so chosen that line-of-sight can be obtained from the antenna over the principal community to be served; in no event should there be a major obstruction in this path. The antenna must be constructed so that it is as clear as possible of surrounding buildings or objects that would cause shadow problems. It is recognized that topography, shape of the desired service area, and population distribution may make the choice of a transmitter location difficult. In such cases, consideration may be given to the use of a directional antenna system, although it is generally preferable to choose a site where a nondirectional antenna may be employed.

6. In addition, it is asserted that the applicant has failed to comply with Commission requirements necessary to qualify for favorable consideration. In this latter connection it is asserted that:

(a) The applicant has not established its financial qualifications.

(b) Has not made a sufficient study of programing needs of those residing[4] in the proposed service area.

(c) The applications specification of an ABC rather than an NBC affiliation is a misrepresentation as to programing.

(d) The applicant failed to comply fully with the public notice[4] requirements of section 1.580 of the Commission's rules.

(e) The applicant has not demonstrated likelihood of appropriate zoning for proposed site.

(f) The applicant has not demonstrated the continued availabiilty of the NBC affiliation.

(g) The applicant has failed to seek waiver of § 73.613(a) of the Commission's Rules relative to the main studio.

9. In support of the contention that grant of the WATR application may foreclose activation of Station WTVU, it is alleged that at the present time WATR, despite a predicted signal over New Haven, does not provide a quality technical service to New Haven. Under these circumstances, the argument is advanced that if the WATR application is denied, WTVU may obtain the NBC network affiliation without the establishment of a viable operation is doubtful and that, conversely, a grant will preclude such an affiliation since WATR is presently an NBC affiliate. Impart similarly attacks the WATR proposal, but its conclusions as to failure to comply with the minimum city signal requirements are grounded upon calculations described in the National Bureau of Standards (NBS) publication, Technical Note 101 (revised Jan. 1, 1967). Impart concludes that based on NBS procedures 36.5 percent of the city of Waterbury would not receive a city grade service. Moreover, Impart asserts that the move would result in a de facto reallocation of the channel to New Haven and would therefore preclude, for the foreseeable future, institution of service on Channel 59. In addition, Impart claims that there is a substantial question as to whether WATR will be able to obtain the necessary zoning approval for the proposed site.

10. Waterbury is located in New Haven County and is a part of the Hartford-New Haven market also known as the Hartford-New Britain-New Haven-Waterbury market, ARB rank No. 14. There are two VHF stations assigned to the market: Station WTIC–TV, Channel 3, Hartford (CBS), and Station WHNC–TV, Channel 8, New Haven (ABC). Additionally two UHFs, Contel's Station WHNB–TV, Channel 30, New Britain (NBC) and WATR–TV, Channel 20, Waterbury (NBC) also serve the area. The broadcast revenues for the four stations[5] in 1967, show a total of $14,644,000, expenses of $7,552,000 and income before Federal taxes of $7,112,000. The net weekly circulation figures as of March 1967 for each of the stations are: WTIC–TV, 819,000; WNHC–TV, 683,000; WHNB–TV, 346,000; WATR–TV, 29,100. The network hourly rates for the four stations are: WTIC–TV, $2,500; WNHC–TV, $2,250; WHNB–TV, $650; WATR–TV, $200. Both UHF stations, WHNB–TV and WATR–TV, have been in operation since 1953.

11. WATR, in support of its proposal, argues that despite the proposed move it will continue to provide the degree of signal required by the rules and that any slight lessening of signal over Waterbury is more than offset by the very substantial gains, particularly in the New Haven area, where NBC programing will be available for the first time. Moreover, the proposal would enable WATR to become fully competitive in its "metro" area and would thus serve the public interest. New Orleans Television Corp. 23 RR 1113. Television Broadcasting, Inc. (Beaumont, Tex.) 4 RR 2d 119. In this latter connection, WATR points out that it has in its years of operation, accumulated a deficit of more than $125,000 and that its position is precarious and continued operation under the present conditions cannot be guaranteed. In opposing the Contel and Impart contentions, WATR asserts that in the Triangle cases[6] the Commission found that WNHC–TV, New Haven, a VHF station, was seeking to expand its primary service area to include an entirely separate all UHF market, whereas WATR is proposing to improve and expand in its own market. WATR also points out that the Commission found a loss of service to part of the New Haven market and that WHNC–TV could not make a showing that the change was necessary to its continued operation.

12. With respect to the asserted reallocation of Channel 20 to New Haven, WATR contends that neither of the petitioners has alleged facts which raise a substantial question. WATR contends that the reallocation contention is grounded upon the asserted failure to provide a city grade signal over Waterbury as required by the rules and that without that contention this argument wholly fails. Thus, WATR argues that since it has demonstrated compliance, and since it proposes no changes in its main studio it is clear that grant of its application will not result in a de facto reallocation.

13. Concerning the allegation of adverse impact upon UHF development, WATR argues that such a claim is based upon two premises, neither of which is correct. One, that an NBC affiliation is available to a Channel 59 operation in New Haven, and the other, that it cannot reasonably be expected

[3] Section 73.685 provides that a minimum field intensity of 80 dbu will be provided over the entire principal community to be served, Channels 14–83.

[4] In response to a Commission letter adopted Jan. 4, 1968, requesting a further survey and new publication, the applicant submitted a new survey and perfected publication. The Commission is of the view that the applicant has made an adequate survey of the programing needs of those within its service area and that its programing is responsive to those needs. No further challenge with respect to these matters has been made by petitioners.

[5] No reported earnings for the experimental pay or operation WHCT–TV, Hartford.

[6] Footnote 4 supra.

that Channel 59 will be activated absent such an affiliation, since a viable operation is contingent upon this fact. In the first instance, WATR asserts that NBC has in the past refused an affiliation to Channel 59, at a time prior to WATR's receiving the affiliation and that statements that such an affiliation could be expected if the WATR proposal is denied are speculative. As to the second point, the petitioners have not supported the conclusion that an NBC affiliation is the only guarantee for a economically viable operation with any facts, particularly since the market is the fourteenth largest (ARB) market in the country.

14. As to the question of zoning, WATR contends that it has a reasonable assurance that its zoning application will be approved and in support submits a letter from David Dodes, Planning Director for the Town of Hamden until early 1968, to this effect. Moreover, WATR points out that Mr. Dodes in his letter clearly states that various proposals for zoning by other broadcasters, were turned down to prevent proliferation of radio towers throughout the area and that the zoning board was interested in the development of an "antenna farm" and had initially, on its own motion, designated such an area. However, this was withdrawn when the property in question was determined to be unavailable at a reasonable price and because the FAA would not permit sufficient height to accomodate all prospective users. The letter also states that the zoning board withdrew its proposal for an antenna farm in order to permit WATR to develop its own area as an antenna farm and that upon formal presentation to the Commission it would approve.

15. We are of the view that substantial and material questions of fact have been raised which require resolution in an evidentiary hearing. With respect to whether the WATR proposal will comply with the provisions of section 73.685(a) of the rules, it is true that utilizing the Commission's existing television curves that there would be compliance; however, the intervening terrain between the proposed site and Waterbury is severe and in such circumstances the rules do provide for alternative methods of calculating shadow losses. Therefore, the parties must be given an opportunity to make their offers of proof. Accordingly, an appropriate issue will be specified.

16. The allegations of de facto reallocation are grounded on the § 73.685(a) argument referred to above. Thus, it is contended that failure to comply with the principal city signal requirements coupled with the fact that the proposed transmitter site is closer to New Haven than to Waterbury raises a question of fact as to whether WATR–TV is seeking to become a New Haven rather than a Waterbury station. Under these circumstances we believe that an issue as to de facto reallocation is warranted.

17. The zoning question presented is whether there is a reasonable likelihood that the proposed site will receive a variance from the authorities. Ordinarily, we rely on the good faith of the applicant's statements that it has reasonable assurances as to zoning and leave the zoning question for the local authorities. However, since the application will require a hearing on other grounds, and since the petitioners have submitted some evidence that a "zoning" variance may not be forthcoming, we will put the question into issue.

18. Turning next to the contention that a grant of the WATR–TV application will have an adverse impact upon UHF development, we note that the argument is novel in that, historically, the impact question has been framed in terms of VHF vis-a-vis UHF. Here we are concerned with two UHF stations one of which has an affiliation which the other is seeking to share. While this Commission cannot determine who shall receive an affiliation, it is clear, under the present circumstances, that grant of the WATR proposal would result in that station placing a high quality useable signal over New Haven for the first time, thereby increasing the competitive impact to Station WTVU. Consequently, an issue will be specified to determine whether a grant would foreclose the development of a local outlet on Channel 59 in New Haven.

19. Concerning the financial qualifications question, we find that WATR, Inc., is qualified to construct and operate as proposed. The application specifies construction costs of $150,000, estimated annual operating expenses of $229,000 and estimated annual revenues of $313,000. The applicant's cash needs for construction and operation of the station as proposed amounts to $132,550 consisting of a down payment on equipment of $30,000 (no equipment payments for 1 year); interest on equipment for 1 year, $4,800; principal payments on bank loan for 1 year of $30,000 and interest of $10,500 and working capital of $57,250.[7] To meet these costs the applicant relies on a bank loan of $150,000 and cash in excess of current liabilities in the amount of $58,075 for a total of $208,075. We find, therefore, that the applicant has sufficient funds to construct and operate the station as proposed.

20. Petitioners also contend that the applicant's failure to advise the Commission of the fact it was seeking a possible site in Bethany during the pendency of its application raises a question as to the good faith of the applicant and constitutes a misrepresentation of a material fact. The contention is without merit. Certainly, the Commission has not been mislead and since, in fact, the "Bethany site" is not available, it is not relevant to our disposition of the case. We are here considering the "Hamden site," our determination is limited to that site, and petitioners have not shown that the applicant has no intention of utilizing that site.

21. It has been alleged that since the proposed operation would extend the contours of WATR–TV in areas where there is presently service from the New York-owned-and-operated NBC station that WATR will not be able to retain its network affiliation. The short answer to this is the recent extension of the contract for a period of 2 years. It has also been alleged that the applicant has misrepresented facts to the Commission since it did not disclose in its application that it was an NBC affiliate. Inasmuch as the information had already been filed with the Commission in compliance with our rules, the failure in our view was merely inadvertence. This view is reinforced since there is no apparent reason or motive to withhold such information nor could it in any way be material to a determination on the application and we find no misrepresentation. The asserted failure to request waiver of § 73.613(a) of the rules, is a rather novel argument but has no foundation either in the rules or logic. Section 73.613(b) of the rules provides that an applicant must make a showing if it is proposed to locate a main studio outside the principal community and no waiver is required. In the instant case, the applicant does not propose any change in its studios and a proposal to change transmitter location does not require a de novo determination as to main studio. We find, therefore, that no material question relative to main studio has been raised. The applicant filed a minor modification to its application on October 1, 1968, which requires airspace clearance. Since clearance has not yet been received, we are specifying an appropriate air hazard issue.

22. Finally, we note that this case has been pending since November of 1966 and that under these circumstances, considerations of equity dictate that the matter be resolved expeditiously, consistent with the requirements of due process.

Accordingly, it is ordered, That pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned application of WATR, Inc., is designated for hearing at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine whether the proposal will comply with the provisions of § 73.685(a) of the rules and place an 80 dbu signal over the principal community.

2. To determine if Issue 1 be answered in the negative, whether good cause exists for a waiver of § 73.685(a) of the rules.

3. To determine whether a grant of the proposal would constitute a de facto realocation of Channel 20 from Waterbury to New Haven.

4. To determine whether grant of the proposal will have an adverse effect upon the development of Channel 59 in New Haven.

5. To determine whether there is a reasonable likelihood that the proposed site will receive a zoning variance.

[7] Inasmuch as we are here dealing with an operating station with an established revenue picture we apply our former three month standard and do not apply the Ultravision test (Ultravision Broadcasting Co.), FCC 65–581, 5 RR 2d 343. See Soler Broadcasting Co. (WBEL) et al.; 6 FCC 2d 809, Orange Nine, Inc., et al., 7 FCC 2d 788.

6. To determine whether the proposed antenna system and site would constitute a hazard to air navigation.

7. To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the application would serve the public interest, convenience, and necessity.

It is further ordered, That Connecticut Television, Inc., and Impart Systems, Inc., are made parties to this proceeding.

It is further ordered, That the burden of proceeding with the introduction of evidence and the burden of proof with respect to Issues 1 and 4 is placed upon the parties respondent and the burden of proceeding with the introduction of evidence and the burden of proof with respect to the remaining Issue remain upon the applicant.

It is further ordered, That such hearing shall be expedited by the Hearing Examiner and by the Review Board if exceptions are taken to the Initial Decision.

It is further ordered, That, to avail themselves of the opportunity to be heard, WATR, Inc., Connecticut Television, Inc., and Impart Systems, Inc., pursuant to § 1.221(c) of the Commission's rules, in person or by attorney shall, within twenty (20) days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date set for the hearing and present evidence on the issues specified in this Order.

It is further ordered, That the applicant herein, shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules give notice of the hearing within the time and in the manner prescribed in such Rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Adopted: November 6, 1968.

Released: November 13, 1968.

FEDERAL COMMUNICATIONS COMMISSION,[8]

[SEAL] BEN F. WAPLE,
Secretary.

APPENDIX

1. "Petition To Deny" filed on January 20, 1967 by Connecticut Television, Inc.
2. "Opposition Of WATR, Inc., To Petition To Deny" filed March 10, 1967.
3. "Reply To Opposition To Petition To Deny" filed March 31, 1967.
4. "Supplement To Petition To Deny" filed on June 23, 1967, by Connecticut Television, Inc.
5. "Opposition Of WATR, Inc., To 'Supplement To Petition To Deny' " filed July 17, 1967.
6. "Reply To WATR, Inc., Opposition" filed by Connecticut Television Inc., on August 1, 1967.
7. Letter from Connecticut Television in connection with amendment of WATR, Incorporated in response to Commission letter re perfection of publication and survey submitted February 7, 1968.
8. "Petition To Defer Action" filed February 29, 1968, by Impart Systems, Inc.
9. "Petition To Deny" filed March 18, 1968, by Impart Systems, Inc.
10. "Opposition Of WATR, Inc., To The 'Petition To Deny' Of Impart Systems, Inc.", filed on March 21, 1968.
11. "Reply To Opposition To Petition To Deny" filed on April 4, 1968.
12. "Supplement To Petition To Deny" filed by Impart Systems, Inc., on June 5, 1968.
13. "Opposition To Impart Systems, Inc. 'Supplement To Petition To Deny' ", filed June 17, 1968.
14. "Reply To Opposition" filed June 28, 1968, by Impart Systems, Inc.

[F.R. Doc. 68-13883; Filed, Nov. 18, 1968; 8:48 a.m.]

[8] Commissioner Robert E. Lee abstaining from voting. Commissioner H. Rex Lee not participating.

[Supplement 12]

1961 WORKING ARRANGEMENT FOR ALLOCATION OF VHF TELEVISION BROADCAST STATIONS UNDER CANADIAN-U.S.A. TELEVISION AGREEMENT OF 1952

Amendment of Title A

NOVEMBER 7, 1968.

Pursuant to an exchange of correspondence between the Department of Transport of Canada and the Federal Communications Commission, Table A, Annex 1 of the Television Working Arrangement under the Canadian-U.S.A. Television Agreement has been amended as follows:

City	Channel No.	
	Delete	Add
Watson Lake, Y.T.		8+
Toronto, Ontario	*81*	[1]45, [1]57, [1]79
Montreal, Quebec	*14, 25, 44; 70*	[1]17, [1]23, [1]29, [1]35

[1] Channel offset designation to be supplied at later date.

Further amendments to Table A will be issued as public notices in the form of numbered supplements.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68-13884; Filed, Nov. 18, 1968; 8:48 a.m.]

FEDERAL RESERVE SYSTEM

FIDELITY-AMERICAN BANKSHARES, INC.

Notice of Application for Approval of Acquisition of Shares of Banks

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(1)), by Fidelity-American Bankshares, Inc., Lynchburg, Va., for prior approval of the Board of action whereby Applicant would become a bank holding company through the acquisition of more than 66⅔ percent of the voting shares of each of the following banks: The Fidelity National Bank, Lynchburg, Va., and American National Bank, Portsmouth, Va.

Section 3(c) of the Act, as amended, provides that the Board shall not approve (1) any acquisition or merger or consolidation under this section which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or (2) any other proposed acquisition or merger or consolidation under this section whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless it finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Richmond.

Dated at Washington, D.C., this 7th day of November, 1968.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary,

[F.R. Doc. 68-13849; Filed, Nov. 18, 1968; 8:45 a.m.]

FEDERAL TRADE COMMISSION

AUTOMOBILE WARRANTIES

Notice of Public Hearing

Notice is hereby given that the Federal Trade Commission will hold a public hearing before the full Commission commencing on January 9, 1969, to afford all interested parties an opportunity to present their views on the subject of automobile warranties.

In July 1965, the Commission, responding to numerous complaints received from automobile owners that automobile manufacturers were not performing in accordance with their new car warranties, authorized its staff to undertake a limited field investigation to determine the nature and scope of the problem. The facts gathered in the preliminary investigation indicated that dissatisfaction with the performance of manufacturers under their new car warranties and with the

condition of new cars at the time of delivery was widespread. More detailed and precise information was therefore sought late in 1966 from the four major automobile manufacturers, all of whom were requested to file special reports pursuant to section 6(b) of the Federal Trade Commission Act, 15 U.S.C. section 46(b). Based upon information contained in those special reports and other information and data available to it, the Commission's Bureau of Deceptive Practices and Bureau of Economics have prepared a "Staff Report on Automobile Warranties", published on November 18, 1968. Copies of the report may be examined at the Commission's main office in Washington, D.C., and each of its 11 field offices. A limited number of copies is available for public distribution. Requests should be addressed to:

Division of Special Projects, Bureau of Deceptive Practices, Federal Trade Commission, Sixth and Pennsylvania Avenue NW., Washington, D.C. 20580.

The report has focused attention on several problems. It concludes that many new cars are delivered to the buyer in poor condition; car owners experience difficulty in having repairs made simply and expeditiously, often causing them great inconvenience; workmanship in warranty repair work is frequently shoddy; and exclusions, limitations, and conditions in the warranties are not made clear to purchasers.

Solutions for these problems require broad initiatives in a number of areas. In particular, the main points that have emerged from the staff study of automobile warranties are:

(1) More adequate assembly-line inspection and testing procedures by manufacturers and predelivery inspection by dealers would eliminate many warranty problems before they begin.

(2) Dealer performance under the warranty would be improved if compensation for warranty work were more adequate, if procedures for establishing whether a particular repair job is covered by the warranty were made plainer, and if more trained repairmen were available.

(3) Service would be better if manufacturers emphasized it more by inspecting more carefully dealer service facilities, by reviewing more sympathetically dealer complaints, by giving greater emphasis to repairs and service instead of focusing solely on sales, and by establishing systematic and thorough procedures for gathering, classifying, and following up customer complaints, especially in regard to warranties.

(4) Warranties themselves should be simplified, rights, obligations, and remedies under the warranty made more clear, unnecessary disclaimers eliminated, and attempts to disclaim liability for defects in materials or workmanship should be abandoned by the manufacturers or nullified.

(5) Manufacturers and dealers should publicize warranty terms, and exclusions, more extensively and more accurately.

The Commission has not approved, disapproved, or passed upon the specific matters contained in the report or its conclusions. It has decided that it would be in the public interest, as the next phase of its investigation and study of automobile warranties, for the Commission to hold a public hearing on this entire subject. The purpose of the hearing is to obtain additional information and data and to afford the Commission the benefit of the views of all concerned—manufacturers, dealers, others in the industry, and consumers—to assist the Commission in determining what action, if any, it should take.

It is desirable that parties wishing to participate in the hearing direct their comments to matters contained in the report and the issues that it raises. However, it is emphasized that the Commission has made no prejudgement of any of these questions. This hearing is intended to serve not as an adjudicative trial but as an appropriate means for ascertaining, organizing, and evaluating the facts concerning promise, performance, and customer satisfaction with automobile warranties. The hearing is not designed to elicit specific evidentiary or adjudicative facts concerning particular violations of law by specific individuals, but will provide general facts which will help the Commission decide questions of law, policy, and discretion. By proceeding in this way, the Commission will be able to determine the facts, to ascertain what problems, if any, exist, and to decide which of these are amenable to Commission action and which can only be resolved by new legislation and therefore should be submitted to Congress for consideration.

Interested parties are hereby invited to submit any information or comments pertinent to the general subject of automobile warranties. Written data, views, or arguments concerning the subject matter of the hearing may be filed with the Secretary, Federal Trade Commission, Pennsylvania Avenue and Sixth Street NW., Washington, D.C. 20580, not later than January 3, 1969. To the extent practicable, persons wishing to file written presentations in excess of two pages should submit 20 copies.

The oral hearing will be held commencing at 10 a.m., e.s.t., on January 9, 1969, in Room 532 of the Federal Trade Commission Building, Pennsylvania Avenue and Sixth Street NW., Washington, D.C. Any person desiring to present orally his views at the hearing should so advise the Secretary of the Commission not later than December 20, 1968, and estimate the time required. The Commission may impose reasonable limitations upon the length of time allotted to any person. Oral presentations should not constitute mere duplications of prior written submittals. Individual Commissioners, as well as counsel assisting the Commission, may ask questions of witnesses who present oral testimony. Copies of oral presentations or summaries thereof may be submitted at the time of the oral hearing.

The data, views, or arguments presented orally or in writing will be available for examination by interested persons at the Federal Trade Commission, Washington, D.C.

Issued: November 18, 1968.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 68-13848; Filed, Nov. 18, 1968; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812-2393]

EATON & HOWARD STOCK FUND

Notice of Filing of Application for an Order Exempting Sale by Open-End Company of Its Shares at Other Than the Public Offering Price

NOVEMBER 13, 1968.

Notice is hereby given that Eaton & Howard Stock Fund ("Applicant") 24 Federal Street, Boston, Mass. 02110, a common law trust existing under the laws of Massachusetts registered under the Investment Company Act of 1940 ("Act"), as an open-end diversified management investment company, has filed an application pursuant to section 6(c) of the Act requesting an order of the Commission exempting from the provisions of section 22(d) of the Act a transaction in which Applicant's redeemable securities will be issued at a price other than the current public offering price described in the prospectus, in exchange for substantially all of the assets of the Henselmeier Building Co. ("Henselmeier").

All interested persons are referred to the application on file with the Commission for a statement of Applicant's representations which are summarized below.

Henselmeier, a Missouri corporation, is an investment company, all of the outstanding stock of which is beneficially owned by two individuals, and is exempt from registration under the Act by reason of the provisions of section 3(c)(1) thereof. Pursuant to an agreement between Applicant and Henselmeier, substantially all of the cash and securities owned by Henselmeier, with a stated value of approximately $106,550 as of September 5, 1968, will be transferred to Applicant in exchange for shares of its capital stock. The number of shares of Applicant's capital stock to be issued is to be determined by dividing the aggregate market value (with certain adjustments as set forth in detail in the application) of the assets of Henselmeier to be transferred to Applicant by the net asset value per share of Applicant both to be determined as of a valuation time, as defined in the agreement. If the valuation under the agreement had taken place on September 5, 1968, Henselmeier would have received 6,155 shares of Applicant's stock. The exchange contemplated by the agreement would be prohibited by section 22(d) as being a sale of a redeemable security by a registered

investment company at a price other than a current offering price described in the prospectus, unless exempted by an order under section 6(c) of the Act.

When received by Henselmeier, the shares of Applicant, which are registered under the Securities Act of 1933, are to be distributed to the Henselmeier stockholders on the liquidation of Henselmeier. Applicant has been advised by the management of Henselmeier that the stockholders of Henselmeier have no present intention of redeeming any of Applicant's shares following the proposed transaction.

There is no affiliation between Applicant and Henselmeier, Henselmeier is not an affiliated person of any affiliated person of Applicant, and the agreement was negotiated at arm's length by the two companies. Applicant's Board of Trustees approved the agreement as being beneficially sound for its shareholders, because, among other things, Applicant will be able to acquire at one time substantial additions to its portfolio securities without affecting the market in those securities and without incurring brokerage commissions.

Section 22(d) of the Act provides that registered investment companies issuing redeemable securities may sell their shares only at the current public offering price as described in the prospectus. Section 6(c) permits the Commission, upon application, to exempt such a transaction if it finds that such an exemption is necessary or appropriate in the public interest and consistent with protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicant contends that the proposed offering of its stock will comply with the provisions of the Act, other than section 22(d) and submits that the granting of the application is necessary and appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than November 29, 1968, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or, in case of an attorney at law, by certificate), shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 68-13852; Filed, Nov. 18, 1968; 8:45 a.m.]

[File Nos. 70-4692; 30-247]

LOUISIANA POWER & LIGHT CO., AND PEOPLES UTILITIES, INC.

Notice of Proposed Acquisition of Assets of Subsidiary Company in Exchange for Its Common Stock and Notes and Notice and Request for Termination of Its Registration

NOVEMBER 13, 1968.

Notice is hereby given that Peoples Utilities, Inc. ("Peoples"), 142 Delaronde Street, New Orleans, La. 70114, an electric utility subsidiary company of Louisiana Power & Light Co. ("Louisiana"), a registered holding company and an electric utility subsidiary company of Middle South Utilities, Inc. ("Middle South"), also a registered holding company, have filed with this Commission a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935 ("Act"), regarding the proposed acquisition by Louisiana of the assets of Peoples and transactions incidental thereto as set forth below and the termination of Louisiana's registration as a holding company. Applicants-declarants have designated sections 5(d), 9, 10, 12(d), and 12(f) of the Act and Rule 50(a)(3) thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Louisiana acquired all of the outstanding capital stock of Peoples on October 21, 1966, pursuant to an order of this Commission dated October 19, 1966 (Holding Company Act Release No. 15583), authorizing such acquisition and certain related transactions. The liquidation of Peoples and acquisition of its assets by Louisiana as now proposed are in accordance with the representations made in that proceeding that the ownership by Louisiana of the common stock of Peoples would be transitional and that Peoples would in due course be eliminated as a separate corporate entity.

Louisiana provides electric service in the northern and eastern parts of Louisiana. As of September 30, 1968, its total assets, less related valuation reserves, amounted to $446,593,000. For the 12 months then ended its operating revenues amounted to $107,834,000. Louisiana's rate schedules were made applicable to the customers of Peoples as of March 1, 1968, resulting in rate reductions totaling approximately $256,900 annually.

Peoples distributes electricity to about 5,500 customers in the eastern part of Louisiana. Its service area is adjacent to that of Louisiana and its electric facilities are connected with those of Louisiana. As of September 30, 1968, Peoples' total assets, less valuation reserves, amounted to $6,616,000. For the 12 months then ended its operating revenues amounted to $1,738,000.

To effect the liquidation of Peoples, Louisiana will acquire all the rights and assets of Peoples and will surrender for cancellation the outstanding common stock of Peoples and two outstanding notes totaling $3,765,952.21, and assume all other liabilities of Peoples. Louisiana has requested that following the transfer of such assets and assumption of obligations, the Commission issue an order under section 5(d) of the Act terminating Louisiana's registration as a holding company.

It is stated that the Louisiana Public Service Commission has authorized Louisiana to acquire the electric system of Peoples and that no other State commission and no Federal commission other than this Commission has jurisdiction over the proposed transactions. The proposed fee of counsel for both Louisiana and Peoples is $8,500. No other fees, no commissions, and no expenses other than minor ones for travel, recording costs and miscellaneous items, are anticipated.

Notice is further given that any interested person may, not later than December 2, 1968, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant-declarants at the above-stated address and proof of service (by affidavit or, in case of an attorney at law, by certificate), should be filed with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 68-13853; Filed, Nov. 18, 1968; 8:45 a.m.]

[812-2395]

NUVEEN TAX-EXEMPT BOND FUND, SERIES 20

Notice of Filing of Application Order of Exemption

NOVEMBER 13, 1968.

Notice is hereby given that Nuveen Tax-Exempt Bond Fund, Series 20 ("Applicant") 209 South LaSalle Street, Chicago, Ill. 60604, a unit investment trust registered under the Investment Company Act of 1940 ("Act"), has filed an application pursuant to section 6(c) of the Act for an order of the Commission exempting Applicant from compliance with the provisions of section 14(a) of the Act. In substance, section 14(a) of the Act provides that no registered investment company shall make a public offering of securities of which it is the issuer unless it has a net worth of at least $100,000. All interested persons are referred to the application on file with the Commission for a statement of the representations therein, which are summarized below.

Applicant is one of a series of 20 similar funds, named "Nuveen Tax-Exempt Bond Funds, Series 1-20," organized pursuant to a Trust Indenture and Agreement ("Trust Agreement") between John Nuveen & Co. (Inc.), as sponsor, and United States Trust Company of New York, as trustee. It is contemplated that the sponsor will deposit with the trustee under the Trust Agreement a minimum of $10 million principal amount of municipal bonds and will receive in exchange therefor certificates of undivided interest in Applicant. It is proposed to offer such units for sale to the public and for this purpose a registration statement under the Securities Act of 1933 has been filed but has not yet become effective. The Trust Agreement provides in substance that no additional bonds will be deposited during the life of the trust and no additional units will be issued. The proceeds of bonds which may be sold, redeemed, or matured will be distributed to unit holders. Units may be redeemed by the holders at their current net asset value. The trust may be terminated by written consent of 100 percent of the unit holders of Applicant, or, in the event that the value of the Applicant shall fall below 20 percent of the aggregate principal amount of bonds initially deposited thereunder, upon direction of the sponsor to the trustee.

In connection with the requested exemption, the sponsor has agreed to refund the original price including sales load, paid by purchasers for units, if within 90 days after the registration of Applicant under the 1933 Act becomes effective, the net worth of Applicant shall be reduced to less than $100,000. Applicant further represents that at the present time the sponsor maintains a market for the units of the Nuveen Tax-Exempt Bond Funds Series 1-19, with which it is similarly connected and continually offers to purchase such units at prices which exceed the redemption price for such units by amounts which depend upon general market conditions. In addition, it is the sponsor's intention to maintain a market for the units of Applicant and to continually offer to purchase such units at prices in excess of the redemption price as set forth in the Trust Agreement, although the sponsor is not obligated to do so.

Notice is further given that any interested person may, not later than November 29, 1968, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after such date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 68-13854; Filed, Nov. 18, 1968; 8:45 a.m.]

[54-191]

STANDARD GAS AND ELECTRIC CO.

Notice of Filing of Step VI of Plan

NOVEMBER 12, 1968.

Notice is hereby given that Standard Gas and Electric Co. ("Standard Gas"), 60 Broad Street, New York, N.Y. 10004, a registered holding company, has filed an amended plan pursuant to section 11(e) of the Public Utility Holding Company Act of 1935 ("Act"). This amendment, designated as Step VI, is the final step in the liquidation and dissolution of Standard Gas. All interested persons are referred to Step VI of the plan, which is summarized below, for a complete statement of the proposed transactions.

Standard Gas, a Delaware corporation, was ordered by the Commission pursuant to section 11(b)(2) of the Act, to liquidate and dissolve (28 S.E.C. 944 (1948) and 32 S.E.C. 545 (1951)). In 1951 Standard Gas filed its overall plan of compliance, under section 11(e) of the Act, and from time to time thereafter Standard Gas filed and the Commission approved, a series of specific steps to comply with the Commission's orders. (Standard Gas and Electric Co., 34 SEC 80 (1952), 34 SEC 749 (1953), Holding Company Act Release No. 12101, (1953), 36 SEC 97 (1954), 37 SEC 532 (1957), and Holding Company Act Release No. 14352 (1961)).

Pursuant to Steps I through II-A the senior securities of Standard Gas were retired and only its common stock (2,162,225 shares) remained outstanding. Partial distributions to the common stockholders were made pursuant to Steps III through V, and each step provided for a period of five (5) years during which Standard Gas would endeavor to locate all common stockholders entitled to the proposed distributions thereunder. Between 1953 and 1961, on application of the Commission, orders of enforcement of various steps were entered by the U.S. District Court for the District of Delaware (Civil Action No. 1497).

Step V provided, among other things, for the formal dissolution of Standard Gas under State law, distribution of cash and portfolio securities to the common stockholders and retention of sufficient cash to meet possible tax and other liabilities. It also included a provision for terminating all rights of stockholders in respect of distributions under Steps III through V. Step V was approved by the Commission by order dated January 19, 1961, and approved and enforced by order of the District Court on April 22, 1961.

Five years thereafter Standard Gas filed a petition in the District Court to terminate the rights to cash and securities under Steps III through V of those common stockholders who had failed to take the necessary steps to perfect their rights thereunder and whom Standard Gas had not been able to locate. An order to that effect was entered September 29, 1966, the Court finding that the efforts of Standard Gas since 1953 "to locate all stockholders of Standard Gas entitled to distributions pursuant to the provision of Steps III, III-A, IV, and V * * * have been reasonable." The order did not terminate the rights of stockholders to future distributions.

Step VI now filed with the Commission provides for the final distribution by Standard Gas of its remaining assets consisting of cash in the amount of about $3 million. Standard Gas proposes, as a final step in its liquidation, to distribute to its common stockholders, initially $1.20 per share, or a total of $2,594,670, and subsequently to distribute the balance, after payment of liabilities or making adequate provision therefor. Step VI also provides that Standard Gas will pay only

such fees and expenses in connection therewith as the Commission may award or allow.

Only stockholders who have surrendered their stock certificates on or prior to the termination or cut-off date of Step VI will be entitled to receive the distributions proposed thereunder. The effective distribution date will be the 5th day immediately following the closing of the transfer books. The termination or cut-off date will be the last day of the 6-month period immediately following the effective distribution date.

Not later than 20 days prior to the closing of its transfer books, Standard Gas will notify its stockholders by letter of their distribution rights, the procedure in connection therewith, and the provisions in Step VI for terminating their rights. Standard Gas will make or cause to be made reasonable efforts, through letters and otherwise, to locate its common stockholders who have not surrendered their stock certificates within 1 month after the effective distribution date. Standard Gas states that it had diligently sought to locate its common stockholders since 1953 and such efforts continued over a period of 13 years in connection with the distributions under Steps III through V; that in its order of September 29, 1966, the District Court found its efforts to be reasonable; and that the 6-month provision for termination of rights to the proposed final distribution under Steps VI is adequate and was in fact expressly provided for in Step V.

Standard Gas requests that the Commission, pursuant to section 11(e) of the Act, approve the various terms and provisions of Step VI as fair and equitable to the person affected thereby and as necessary to effectuate the provisions of section 11(b) of the Act, and, thereafter, pursuant to section 18(f) apply to the U.S. District Court for the District of Delaware for an order approving and enforcing the provisions of Step VI.

Standard Gas requests that upon consummation of Step VI the Commission, pursuant to section 5(d) of the Act, issue an order declaring that Standard Gas has ceased to be a holding company and that its registration as such shall cease to be in effect.

Notice is further given that any interested person may, not later than December 2, 1968, request in writing that a hearing be held on Step VI of Standard Gas' plan, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said Step VI which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Standard Gas and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, such Step VI as filed or as it may be amended, may be permitted to become effective in the manner provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 68-13855; Filed, Nov. 18, 1968; 8:45 a.m.]

TOP NOTCH URANIUM AND MINING CORP.

Order Suspending Trading

NOVEMBER 13, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Top Notch Uranium and Mining Corp., and all other securities of Top Notch Uranium and Mining Corp., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period November 14, 1968 through November 23, 1968, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 68-13856; Filed, Nov. 18, 1968; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 731]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

NOVEMBER 13, 1968.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 340), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 80430 (Sub-No. 125 TA) (Amendment) filed October 21, 1968, published in the FEDERAL REGISTER issue of October 26, 1968, and republished as amended, this issue. Applicant: GATEWAY TRANSPORTATION CO., INC., 2130 South Avenue, La Crosse, Wis. 54601. Applicant's representative: Joseph E. Ludden (same address as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Classes A and B explosives,* from Badger Army Ammunition Plant, Baraboo, Wis., to Twin Cities Army Ammunition Plant, Minneapolis, Minn., for 150 days. NOTE: The purpose of this republication is to reflect a change in the commodity description from that shown in the previous publication. Supporting shipper: Department of the Army, Washington, D.C. Send protests to: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 444 West Main Street, Room 11, Madison, Wis. 53703.

No. MC 110420 (Sub-No. 575 TA), filed November 7, 1968. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Burlington, Wis. 53105. Applicant's representative: Allan B. Torhorst (same address as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Corn starch,* in bulk, from Chicago and Pekin, Ill., to Denver and Commerce City, Colo., for 180 days. Supporting shipper: Corn Products Co., 101 South Wacker Drive, Chicago, Ill. 60606 (Roger V. Haugen, Assistant Traffic Manager). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 110525 (Sub-No. 884 TA), filed November 6, 1968. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representative: Edwin H. van Deusen (same address as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Chlorosulfonic acid,* in bulk, in tank vehicles, from Lockland, Ohio, to Muskegon, Mich., for 180 days. Supporting shipper: Tennessee Corp., 55 Marietta Street NW., Atlanta, Ga. 30303. Send protests to: Peter R. Guman, District Superivsor, Interstate Commerce Commission, Bureau of Operations, 900 U.S. Custom House, Second and Chestnut Streets, Philadelphia, Pa. 19106.

No. MC 125777 (Sub-No. 125 TA), filed November 7, 1968. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gary, Ind. 46403. Applicant's representative: J. S. Gray, Jr. (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ferroy alloys*, from Chicago, Ill., to Milwaukee, Wis., for 180 days. Supporting shipper: Metallurg Alloy Corp., 25 East 39th Street, New York, N.Y. 10016. Send protests to: District Supervisor J. H. Gray, Bureau of Operations, Interstate Commerce Commission, Room 204, 345 West Wayne Street, Fort Wayne, Ind. 46802.

No. MC 128138 (Sub-No. 5 TA), filed November 4, 1968. Applicant: ATLANTIC-PACIFIC PILOT AND DRIVE EXCHANGE, INC., 655 Sutter Street, Suite 111, San Francisco, Calif. 94102. Applicant's representative: E. D. Helmer (same address above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Walk-in vans*, in single driveaway service, by the use of casual drivers, (1) in initial movements, from Union City, Ind., and Evergreen, Ala., to points in California and Hawaii and (2) in secondary movements, between points in the United States, including Alaska and Hawaii, on shipments moving to or from car and truck dealers, for 180 days. Supporting shippers: Moore Equipment Co., Inc., 4546 North Wilson Way, Post Office Box 8098, Stockton, Calif. 95204; F. B. Hart Co., 1441 Richards Boulevard, Post Office Box 1437, Sacramento, Calif. 95807; Collins Motor Co., 21650 Mission Boulevard, Hayward, Calif. 94541. Send protests to: District Supervisor Claud W. Reeves, Interstate Commerce Commission, Bureau of Operations, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif. 94102.

No. MC 128256 (Sub-No. 3 TA), filed November 6, 1968. Applicant: O. W. BLOSSER, doing business as BLOSSER TRUCKING, 215 North Main Street, Middlebury, Ind. 46540. Applicant's representative: Alki E. Scopelitis, 900 Circle Tower Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wooden mouldings*, from the plantsite of Middlebury Moulding, Inc., at or near Middlebury, Ind., to points in Arkansas, Illinois, Iowa, Kentucky, Michigan, Missouri, Ohio, Tennessee, and Wisconsin, for 180 days. Supporting shipper: Abitibi Corp., 1400 North Woodward Avenue, Birmingham, Mich. Send protests to: District Supervisor J. H. Gray, Bureau of Operations, Interstate Commerce Commission, Room 204, 345 West Wayne Street, Fort Wayne, Ind. 46802.

No. MC 128981 (Sub-No. 4 TA) (Correction), filed October 21, 1968, published in the FEDERAL REGISTER, issue of October 29, 1968, and republished as corrected this issue. Applicant: LAND-AIR DELIVERY, INC., 413 Lou Holland Drive, Kansas City, Mo. 64116. Applicant's representative: Tom B. Kretsinger, 450 Professional Building, Kansas City, Mo. 64106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), (1) between Municipal Airport, Kansas City International Airport and Fairfax Airport, located within the Kansas City, Mo.-Kans., commercial zone, as defined by the Commission, on the one hand, and, on the other, points in Kansas, Missouri, and Nebraska; and (2) between Municipal Airport, Wichita, Kans., on the one hand, and, on the other, points in Kansas, Missouri, and Nebraska, restricted to the transportation of shipments having an immediately prior or subsequent movement by air, for 180 days. NOTE: The purpose of this republication is to reflect the correct address of the District Supervisor to whom any protests are to be sent. Supporting shippers: Airborne Freight Corp., 354 Lou Holland Drive, Kansas City, Mo., Whitaker Cable Corp., North Kansas City, Mo.; Burnup Equipment Co., Inc., 1150 Sterling, Independence, Mo.; John Gruss Co., Inc., 5957 Merriam Drive,, Shawnee Mission, Kans.; Nat Nast, Inc., Bonner Springs, Kans.; Ronald Phillips Communications Co., 1925 Baltimore Avenue, Kansas City, Mo.; Imco Container Co., 75th and Cleveland Streets, Kansas City, Mo.; Control Data Corp., 6901 West 63d Street, Shawnee Mission, Kans. Send protests to: Vernon V. Coble, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 133226 TA (amendment), filed October 9, 1968, published in the FEDERAL REGISTER issue of October 18, 1968, and republished as amended, this issue. Applicant: TENNIS HAROLD, doing business as TENNIS TRANSFER AND STORAGE CO., 1153 Commercial Avenue, Oxnard, Calif. 93030. Applicant's representative: Ernest D. Salm, 3846 Evans Street, Los Angeles, Calif. 90027. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Household goods*, as defined by the Commission, having a prior or subsequent out-of-State movement, (a) between points in the Los Angeles Harbor, Calif., commercial zone, as defined by the Commission, on the one hand, and, on the other, points in Santa Barbara and Ventura Counties, Calif.; (b) between Oxnard, Calif., on the one hand, and on the other, points in Los Angeles County, Calif.; (c) between points in Santa Barbara and Ventura Counties, Calif.; (2) *Household goods as defined by the Commission, personal effects, and unaccompanied baggage*, having a prior or subsequent out-of-State movement, between China Lake, Calif., on the one hand, and, on the other, points in Kern County, and Los Angeles County, Calif., and points in the Los Angeles Harbor commercial zone, Calif., for 180 days. NOTE: The purpose of this republication is to reflect a change in the scope of the application. Supporting shipper: Jet Forwarding Inc., 2945 Columbia Street, Torrance, Calif. 90503. Send protests to: District Supervisor John E. Nance, Bureau of Operations, Interstate Commerce Commission, Room 7708, Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 133273 TA, filed November 6, 1968. Applicant: FLOUR DISTRIBUTING, INC., 1607 Wynne Avenue, St. Paul, Minn. 55108. Applicant's representative: Robert E. Swanson, 1211 South Sixth Street, Stillwater, Minn. 55082. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Flour mixes or prepared edible flour*, in packages and bags, from Belleville, Ill., to Davenport, Iowa, and New Prague, Wabasha, New Ulm, and St. Paul, Minn., for 180 days. Supported by, and under contract with: International Milling, 1200 Investors Building, Minneapolis, Minn. 55415. Send protests to: District Supervisor A. E. Rathert, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Court House, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 133278 TA, filed November 7, 1968. Applicant: WAYNE NELSON, Roswell, S. Dak. 57372. Applicant's representative: Vincent J. Protsch, Mumford, Protsch & Sage, Howard, S. Dak. 57349. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Feed*, from Sioux City, Iowa, to Argonne, S. Dak., for the account of Bartlett & Co. Elevator, Argonne, S. Dak., for 180 days. Supporting shipper: Bartlett & Co. Elevator, Howard S. Dak. 57349. Send protests to: J. L. Hammond, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 369, Federal Building, Pierre, S. Dak. 57501.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 68-13879; Filed, Nov. 18, 1968; 8:47 a.m.]

[Notice 732]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

NOVEMBER 14, 1968.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR 340), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and

will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 107515 (Sub-No. 629 TA), filed November 4, 1968. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 10799, Station A, Atlanta, Ga. 30310. Applicant's representative: B. L. Gundlach (same address as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Frozen pancake batter,* from Tulsa, Okla., to points in Alabama, Georgia, Tennessee (except Memphis), Pennsylvania, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Florida, South Carolina, North Carolina, Virginia, Maryland, Delaware, and the District of Columbia, for 180 days. Supporting shipper: Glencliff Dairies, Inc., Box 3047, Tulsa, Okla. 74101. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 309, 1252 West Peachtree Street NW., Atlanta, Ga. 30309.

No. MC 114364 (Sub-No. 187 TA), filed November 8, 1968. Applicant: WRIGHT MOTOR LINES, INC., Post Office Box 1191, 1401 North Little, Cushing, Okla. 74023. Applicant's representative: Joe W. Ballard (same address as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Frozen foods,* from Dayton, Gresham, Portland, Salem, Silverton, Springbrook, Stayton, and Weston, Oreg., to Kennewick, Wash. (for storage in transit and reshipment to destinations authorized), for 150 days. Supporting shipper: North Pacific Canners & Packers, Inc., Mr. B. C. Wadley, Traffic Manager, 5200 Southeast McLoughlin Boulevard, Portland, Oreg. 97202. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 350, American General Building, 210 Northwest Sixth, Oklahoma City, Okla. 73102.

No. MC 120634 (Sub-No. 17 TA), filed November 8, 1968. Applicant: JOE HODGES TRANSPORTATION CORPORATION, Post Office Box 82397, 107 Southwest Seventh Street, Oklahoma City, Okla. 73108. Applicant's representative: John E. Maupin (same address as above). Authority sought to operate as a *common carrier,* by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Oklahoma City, Okla., and Boise City, Okla.; from Oklahoma City, Okla., over Interstate Highway 40 to junction U.S. Highway 66 and Interstate Highway 40 and U.S. Highway 270, thence over U.S. Highway 270 to junction U.S. Highway 64, thence over U.S. Highway 64 to Boise City (also from junction Oklahoma Highway 3 and U.S. Highway 270, 1 mile south of Elmwood over Oklahoma Highway 3 to Guymon and thence over U.S. Highway 64 to Boise City), and return over the same routes serving the intermediate points of Watonga, Seiling, Woodward, Beaver, Balko, and Guymon, Okla.; (2) between Woodward, Okla., and Shattuck, Okla., over Oklahoma Highway 15, serving the intermediate points of Gage and Fargo, Okla.; (3) between the junction U.S. Highway 183 and U.S. Highway 270, and Buffalo, Okla., over U.S. Highway 183, serving no intermediate points; (4) between junction U.S. Highway 270 and U.S. Highway 283 and Laverne, Okla., over U.S. Highway 283, serving no intermediate points, for 180 days. NOTE: Applicant states it proposes to tack with its presently held authority in MC 120634. Supporting shippers: There are approximately (53) statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 350, American General Building, 210 Northwest Sixth, Oklahoma City, Okla. 73102.

No. MC 127539 (Sub-No. 8 TA), filed November 8, 1968. Applicant: PARKER REFRIGERATED SERVICE, INC., 3533 East 11th Street, Tacoma, Wash. 98421. Applicant's representative: George R. LaBissioniere, 920 Logan Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Bananas,* from Seattle, Wash., to Eugene, and Salem, Oreg., for 180 days. Supporting shippers: West Coast Fruit & Produce Co., 448 East 18th Street, Tacoma, Wash. 98401; Emerald Fruit & Produce Co., Inc., 2525 Seventh Place West, Eugene, Oreg. 97402. Send protests to: E. J. Casey, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6130 Arcade Building, Seattle, Wash. 98101.

No. MC 129307 (Sub-No. 10 TA), filed November 7, 1968. Applicant: McKEE LINES, INC., 664 54th Avenue, Mattawan, Mich. 49071. Applicant's representative: William C. Harris (same address as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Frozen foods,* from the plantsites and warehouse facilities of Michigan, Lloyd J. Harriss Pie Co., Saugatuck, Mich., to points in Connecticut, Maryland, Ohio, Delaware, Massachusetts, Pennsylvania, Indiana, New Hampshire, Rhode Island, Kentucky, New Jersey, Vermont, Maine, New York, Virginia, West Virginia, and the District of Columbia, for 180 days. Supporting shipper: Lloyd J. Harriss Pie Co., 350 Culver, Saugatuck, Mich. 49453 (by Bruce Troutman, Traffic Manager). Send protests to: C. R. Flemming, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 221 Federal Building, Lansing, Mich. 48933.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 68-13880; Filed, Nov. 18, 1968; 8:47 a.m.]

[S.O. 1002; Car Distribution Direction No. 2; Amdt. 2]

SOUTHERN RAILWAY CO., AND CHICAGO, BURLINGTON & QUINCY RAILROAD CO.

Car Distribution

Upon further consideration of Car Distribution Direction No. 2 (Southern Railway Co.; Chicago, Burlington & Quincy Railroad Co.) and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 2 be, and it is hereby amended by substituting the following paragraph (4) for paragraph (4) thereof:

(4) Expiration date: This direction shall expire at 11:59 p.m., November 30, 1968, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., November 16, 1968, and that it shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., November 13, 1968.

INTERSTATE COMMERCE COMMISSION,

[SEAL] R. D. PFAHLER, *Agent.*

[F.R. Doc. 68-13863; Filed, Nov. 18, 1968; 8:46 a.m.]

[S.O. 1002; Car Distribution Direction No. 3; Amdt. 2]

TERMINAL RAILROAD ASSOCIATION OF ST. LOUIS AND ILLINOIS CENTRAL RAILROAD CO.

Car Distribution

Upon further consideration of Car Distribution Direction No. 3 (Terminal Railroad Association of St. Louis; Illinois Central Railroad Co.) and good cause appearing therefor:

It is ordered, That:

Car Distribution Director No. 3 be, and it is hereby amended by substituting the following paragraph (4) for paragraph (4) thereof:

(4) Expiration date: This direction shall expire at 11:59 p.m., November 30, 1968, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., November 16, 1968, and that it shall be

served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., November 13, 1968.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 68-13864; Filed, Nov. 18, 1968; 8:46 a.m.]

[S.O. 1002; Car Distribution Direction No. 4; Amdt. 2]

ERIE-LACKAWANNA RAILROAD CO., AND ILLINOIS CENTRAL RAILROAD CO.

Car Distribution

Upon further consideration of Car Distribution Direction No. 4 (Erie-Lackawanna Railroad Co.; Illinois Central Railroad Co.) and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 4 be, and it is hereby amended by substituting the following paragraph (4) for paragraph (4) thereof:

(4) *Expiration date:* This direction shall expire at 11:59 p.m., November 30, 1968, unless otherwise modified, changed or suspended:

It is further ordered, That this amendment shall become effective at 11:59 p.m., November 16, 1968, and that it shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., November 13, 1968.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 68-13865; Filed, Nov. 18, 1968; 8:46 a.m.]

[S.O. 1002; Car Distribution Direction No. 5; Amdt. 2]

SEABOARD COAST LINE RAILROAD CO. AND ILLINOIS CENTRAL RAILROAD CO.

Car Distribution

Upon further consideration of Car Distribution Direction No. 5 (Seaboard Coast Line Railroad Co.; Illinois Central Railroad Co.) and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 5 be, and it is hereby amended by substituting the following paragraph (4) for paragraph (4) thereof:

(4) Expiration date: This direction shall expire at 11:59 p.m., November 30, 1968, unless otherwise modified, changed or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., November 16, 1968, and that it shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., November 13, 1968.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 68-13866; Filed, Nov. 18, 1968; 8:46 a.m.]

[S.O. 1002; Car Distribution Direction No. 6; Amdt. 2]

LEHIGH VALLEY RAILROAD CO. AND NORFOLK AND WESTERN RAILWAY CO.

Car Distribution

Upon further consideration of Car Distribution Direction No. 6 (Lehigh Valley Railroad Co.; Norfolk and Western Railway Co.) and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 6 be, and it is hereby amended by substituting the following paragraph (4) for paragraph (4) thereof:

(4) Expiration date: This direction shall expire at 11:59 p.m., November 30, 1968, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., November 16, 1968, and that it shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., November 13, 1968.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 68-13867; Filed, Nov. 18, 1968; 8:46 a.m.]

[S.O. 1002; Car Distribution Direction No. 8; Amdt. 2]

BOSTON AND MAINE CORP. ET AL.

Car Distribution

Upon further consideration of Car Distribution Direction No. 8 (Boston and Maine Corp.; Penn Central Co.; Chicago and North Western Railway Co.) and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 8 be, and it is hereby amended by substituting the following paragraph (4) for paragraph (4) thereof:

(4) Expiration date: This direction shall expire at 11:59 p.m., November 30, 1968, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., November 16, 1968, and that it shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., November 13, 1968.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 68-13868; Filed, Nov. 18, 1968; 8:46 a.m.]

[S.O. 1002; Car Distribution Direction No. 10; Amdt. 1]

FLORIDA EAST COAST RAILWAY CO., ET AL.

Car Distribution

Upon further consideration of Car Distribution Direction No. 10 (Florida East Coast Railway Co.; Seaboard Coast Line Railroad Co.; Illinois Central Railroad Co.; Columbus and Greenville Railway Co.) and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 10 be, and it is hereby amended by substituting the following paragraph (4) for paragraph (4) thereof:

(4) Expiration date: This direction shall expire at 11:59 p.m., November 30, 1968, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., November 16, 1968, and that it shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., November 13, 1968.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 68-13869; Filed, Nov. 18, 1968; 8:46 a.m.]

[S.O. 1002; Car Distribution Direction No. 11; Amdt. 1]

ST. LOUIS-SAN FRANCISCO RAILWAY CO., AND GULF, MOBILE AND OHIO RAILROAD CO.

Car Distribution

Upon further consideration of Car Distribution Direction No. 11 (St. Louis-San

Francisco Railway Co.; Gulf, Mobile and Ohio Railroad Co.) and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 11 be, and it is hereby amended by substituting the following paragraph (4) for paragraph (4) thereof:

(4) Expiration date: This direction shall expire at 11:59 p.m., November 30, 1968, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., November 16, 1968, and that it shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., November 13, 1968.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 68-13870; Filed, Nov. 18, 1968; 8:46 a.m.]

[S.O. 1002; Car Distribution Direction No. 12; Amdt. 1]

KANSAS CITY SOUTHERN RAILWAY CO., AND CHICAGO AND NORTH WESTERN RAILWAY CO.

Car Distribution

Upon further consideration of Car Distribution Direction No. 12 (The Kansas City Southern Railway Co.; Chicago and North Western Railway Co.) and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 12 be, and it is hereby amended by substituting the following paragraph (4) for paragraph (4) thereof:

(4) Expiration date: This direction shall expire at 11:59 p.m., November 30, 1968, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., November 16, 1968, and that it shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., November 13, 1968.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 68-13871; Filed, Nov. 18, 1968; 8:46 a.m.]

[S.O. 1002 Car Distribution Direction No. 13; Amdt. 1]

READING CO. ET AL.

Car Distribution

Upon further consideration of Car Distribution Direction No. 13 (Reading Co.; Western Maryland Railway Co.; Norfolk and Western Railway Co.; Chicago, Rock Island and Pacific Railroad Co.) and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 13 be, and it is hereby amended by substituting the following paragraph (4) for paragraph (4) thereof:

(4) Expiration date: This direction shall expire at 11:59 p.m., November 30, 1968, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., November 16, 1968, and that it shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., November 13, 1968.

INTERSTATE COMMERCE, COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 68-13872; Filed, Nov. 18, 1968; 8:47 a.m.]

[S.O. 1002; Car Distribution Direction No. 14; Amdt. 1]

PENN CENTRAL CO., AND CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD CO.

Car Distribution

Upon further consideration of Car Distribution Direction No. 14 (Penn Central Co.; Chicago, Rock Island and Pacific Railroad Co.) and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 14 be, and it is hereby amended by substituting the following paragraph (4) for paragraph (4) thereof:

(4) Expiration date. This direction shall expire at 11:59 p.m., November 30, 1968, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., November 16, 1968, and that it shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., November 13, 1968.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 68-13783; Filed, Nov. 18, 1968; 8:47 a.m.]

[S.O. 1002; Car Distribution Direction No. 15; Amdt. 1]

SOUTHERN PACIFIC CO., AND CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD CO.

Car Distribution

Upon further consideration of Car Distribution Direction No. 15 (Southern Pacific Co.; Chicago, Rock Island and Pacific Railroad Co.) and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 15 be, and it is hereby amended by substituting the following paragraph (4) for paragraph (4) thereof:

(4) Expiration date: This Direction shall expire at 11:59 p.m., November 30, 1968, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., November 16, 1968, and that it shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., November 13, 1968.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 68-13874; Filed, Nov. 18, 1968; 8:47 a.m.]

[S.O. 1002; Car Distribution Direction No. 16; Amdt. 1]

LOUISVILLE AND NASHVILLE RAILROAD CO., AND CHICAGO, BURLINGTON & QUINCY RAILROAD CO.

Car Distribution

Upon further consideration of Car Distribution Direction No. 16 (Louisville and Nashville Railroad Co.; Chicago, Burlington & Quincy Railroad Co.) and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 16 be, and it is hereby amended by substituting the following paragraph (4) for paragraph (4) thereof:

(4) Expiration date: This direction shall expire at 11:59 p.m., November 30, 1968, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., November 16, 1968, and that it shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., November 13, 1968.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 68-13875; Filed, Nov. 18, 1968; 8:47 a.m.]

[S.O. 1002; Car Distribution Direction No. 17-A]

SEABOARD COAST LINE RAILROAD CO., ET AL.

Car Distribution

Upon further consideration of Car Distribution Direction No. 17 (Seaboard Coast Line Railroad Co.; Louisville and Nashville Railroad Co.; Chicago and North Western Railway Co.) and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 17 be, and it is hereby vacated.

It is further ordered, That this amendment shall become effective at 11:59 p.m., November 13, 1968, and that it shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., November 13, 1968.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 68-13876; Filed, Nov. 18, 1968; 8:47 a.m.]

[S.O. 1002; Car Distribution Direction No. 18]

SEABOARD COAST LINE RAILROAD CO., ET AL.

Car Distribution

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002.

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Seaboard Coast Line Railroad Co. shall deliver to the Louisville and Nashville Railroad Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exception: Canadian ownerships.

(b) The Louisville and Nashville Railroad Co. shall deliver to the Chicago & Eastern Illinois Railroad Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exception: Canadian ownerships.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(c) The carriers delivering the empty boxcars as described above must advise agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(d) The carriers receiving the cars described above must advise agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) Regulations suspended: The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) Effective date: This direction shall become effective at 12:01 a.m., November 14, 1968.

(4) Expiration date: This direction shall expire at 11:59 p.m., November 30, 1968, unless otherwise modified, changed or suspended by order of this Commission.

It is further ordered, That a copy of this direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this direction be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., November 13, 1968.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 68-13877; Filed, Nov. 18, 1968; 8:47 a.m.]

[S.O. 1002; Car Distribution Direction No. 19]

CHESAPEAKE AND OHIO RAILWAY CO., AND CHICAGO AND NORTH WESTERN RAILWAY CO.

Car Distribution

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002.

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Chesapeake and Ohio Railway Co. shall deliver to the Chicago and North Western Railway Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exception: Canadian ownerships.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carrier delivering the empty boxcars as described above must advise agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carrier receiving the cars described above must advise agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) Regulations suspended: The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) Effective date: This direction shall become effective at 12:01 a.m., November 14, 1968.

(4) Expiration date: This direction shall expire at 11:59 p.m., November 30, 1968, unless otherwise modified, changed, or suspended by order of this Commission.

It is further ordered, That a copy of this direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this direction be given to the general public by depositing a copy in the Office of the Secretary of the Commission in Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., November 13, 1968.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 68-13878; Filed, Nov. 18, 1968; 8:47 a.m.]

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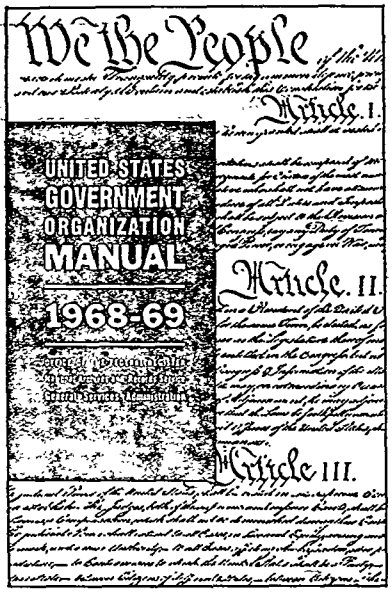

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